99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
99-1002

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

OCTOBER 15, 1986.—Ordered to be printed

Mr. YATES, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 5234]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5234) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1987, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 12, 17, 19, 27, 29, 30, 31, 32, 37, 41, 44, 45, 48, 54, 70, 73, 77, 79, 80, 81, 82, 83, 84, 85, 92, 107, 108, 113, 117, 121, 148, 149, 151, 152, 158, and 167.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 11, 28, 50, 51, 55, 57, 64, 76, 99, 102, 116, 129, 131, 135, 140, 146, 153, 157, 159, 161, 164, 166, 168, 170, and 172, and agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$54,524,000*; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$9,253,000*; and the Senate agree to the same.

Amendment numbered 14:

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That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$7,000,000*; and the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$10,628,000*; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$24,250,000*; and the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$87,220,000*; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$418,665,000*; and the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$160,697,000*; and the Senate agree to the same.

Amendment numbered 39:

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$44,904,000*; and the Senate agree to the same.

Amendment numbered 47:

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$203,720,000*; and the Senate agree to the same.

Amendment numbered 49:

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as to read as follows: *: Provided further, That the Secretary of the Interior may deny fifty percent of an Abandoned Mine Reclamation fund*

grant, available to a State pursuant to title IV of Public Law 95-87, in accordance with the procedures set forth in section 521(b) of the Act, when the Secretary determines that a State is systematically failing to administer adequately the enforcement provisions of the approved State regulatory program. Funds will be denied until such time as the State and the Office of Surface Mining Reclamation and Enforcement have agreed upon an explicit plan of action for correcting the enforcement deficiency. A State may enter into such agreement without admission of culpability. If a State enters into such agreement, the Secretary shall take no action pursuant to section 521(b) of the Act as long as the State is complying with the terms of the agreement; and the Senate agree to the same.

Amendment numbered 53:

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$55,668,000*; and the Senate agree to the same.

Amendment numbered 61:

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$76,101,000*; and the Senate agree to the same.

Amendment numbered 66:

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$78,224,000*; and the Senate agree to the same.

Amendment numbered 67:

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$75,501,000*; and the Senate agree to the same.

Amendment numbered 75:

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$20,880,000*; and the Senate agree to the same.

Amendment numbered 88:

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

In lieu of the section number named insert: *115.*; and the Senate agree to the same.

Amendment numbered 89:

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

In lieu of the section number named insert: *116.*; and the Senate agree to the same.

Amendment numbered 96:

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$128,882,000*; and the Senate agree to the same.

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$6,000,000*; and the Senate agree to the same.

Amendment numbered 98:

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$58,946,000*; and the Senate agree to the same.

Amendment numbered 104:

That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$261,436,000*; and the Senate agree to the same.

Amendment numbered 105:

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$25,332,000*; and the Senate agree to the same.

Amendment numbered 106:

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$236,104,000*; and the Senate agree to the same.

Amendment numbered 124:

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$26,500,000*; and the Senate agree to the same.

Amendment numbered 126:

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$280,129,000*; and the Senate agree to the same.

Amendment numbered 128:

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided further, That $2,000,000 of the amount provided under this heading shall be available for continuing a research and development initiative with the National Laboratories for new technologies up to proof-of-concept testing to increase significantly the energy efficiency of processes that produce steel: Provided further, That obligation of funds for these activities shall be contingent on an agreement to provide cash or in-kind contributions to the initiative or to other collaborative research and development activities related to the purpose of the initiative equal to 30 percent of the amount of Federal Government obligations: Provided further, That existing facilities, equipment, and supplies, or previously expended research or development funds are not acceptable as contributions for the purpose of this appropriation, except as amortized, depreciated, or expensed in normal business practice: Provided further, That the total Federal expenditure under this proviso shall be repaid up to one and one-half times from the proceeds of the commercial sale, lease, manufacture, or use of technologies developed under this proviso, at a rate of one-fourth of all net proceeds*; and the Senate agree to the same.

Amendment numbered 130:

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$60,301,000*; and the Senate agree to the same.

Amendment numbered 138:

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$47,200,000*; and the Senate agree to the same.

Amendment numbered 139:

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$14,568,000*; and the Senate agree to the same.

Amendment numbered 145:

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$183,920,000*; and the Senate agree to the same.

Amendment numbered 150:

That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$3,322,000*; and the Senate agree to the same.

Amendment numbered 154:

That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$28,420,000*; and the Senate agree to the same.

Amendment numbered 155:

That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$20,000,000*; and the Senate agree to the same.

Amendment numbered 156:

That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$109,990,000*; and the Senate agree to the same.

Amendment numbered 162:

That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$21,250,000*; and the Senate agree to the same.

Amendment numbered 165:

That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$2,397,000*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 5, 8, 10, 13, 15, 16, 18, 20, 21, 24, 25, 33, 34,

35, 40, 42, 43, 46, 52, 56, 58, 59, 60, 62, 63, 65, 68, 69, 71, 72, 74, 78, 86, 87, 90, 91, 93, 94, 95, 100, 101, 103, 109, 110, 111, 112, 114, 115, 118, 119, 120, 122, 123, 125, 127, 132, 133, 134, 136, 137, 141, 142, 143, 144, 147, 160, 163, 169, 171, 173, 174, 175, 176, 177, and 178.

SIDNEY R. YATES,
JOHN P. MURTHA,
NORMAN D. DICKS,
EDWARD P. BOLAND,
LES AUCOIN,
TOM BEVILL,
JAMIE L. WHITTEN,
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JOSEPH M. MCDADE,
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Managers on the Part of the House.

JAMES A. MCCLURE,
TED STEVENS,
PAUL LAXALT,
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WARREN RUDMAN,
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J. BENNETT JOHNSTON,
DENNIS DECONCINI,
QUENTIN N. BURDICK,
DALE BUMPERS,
ERNEST F. HOLLINGS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5234), making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1987, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Management of lands and resources

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $483,610,000 instead of $380,370,000 as proposed by the House and $474,029,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase above the amount proposed by the House consists of increases of $200,000 for Alaska programs in mining law administration; $3,250,000 for the Alaska lands program and the Alaska automated land records system in lands and realty management; $1,000,000 for commercial forest management in Colorado, Montana, Wyoming, and Idaho; $5,000,000 for wild horse and burro management; $500,000 for noxious weed control in Idaho, Montana, Oregon, Utah, Washington, and Wyoming; $5,000,000 for grasshopper control projects in range management; $450,000 for the Challenge Grant program for fish and wildlife activities in wildlife management; $600,000 for the Hagerman Fauna Site National Natural Landmark in cultural resources management; $650,000 for Alaska maintenance, including Tangle Lakes campgrounds, and $400,000 for the San Pedro Riparian Area, both in recreation resources management; $3,990,000 for Alaska cadastral survey; and $83,000,000 for firefighting; and decreases of $500,000 in oil and gas leasing for Alaska programs; and $300,000 for plans in wildlife habitat management.

The managers expect the Bureau to report to the Appropriations Committees by May 1, 1987 on the rate of adoption of excess wild horses and burros in fiscal year 1987 in relation to planned rates.

In soil, water, and air management the managers agree the amount for hazardous waste management is $1,782,000.

The managers expect the Bureau to give proper consideration to the surveying of Alaska Native allotments in the Alaska cadastral survey program and to work with BIA in assuring that the highest Native priorities are met.

For forest management on public domain lands, the managers expect the Bureau to provide a report to the Appropriations Committees by May 1, 1987 of the components of the costs and revenues by State of providing proper management of timber lands both in the case where no "commercial" sales are offered and in the case where such sales would be offered.

The managers agree that, within funds for wildlife habitat management, $200,000 is available for increased management of the desert tortoise as described in the Senate report.

Within funds for recreation management, the managers agree that there is $188,000 for Soda Springs, $42,000 for Calico-Early Man, and $70,000 for the Barstow Way Station in the Mojave Desert.

Of the additional $500,000 provided for noxious weed control, $100,000 shall be available for Idaho.

With regard to Western Oregon management plans, the managers agree that existing management plans may be modified only to the extent that existing allowable cut in any master unit is affected by less than one million board feet, in order to provide for orderly management.

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following: *, of which $83,000,000 for firefighting and repayment to other appropriations from which funds were transferred under the authority of section 102 of the Department of the Interior and Related Agencies Appropriations Act, 1986, as contained in Public Law 99-190, and $5,000,000 for insect and disease control projects, including grasshoppers, shall remain available until expended*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Bill language is included making funds for firefighting and grasshopper control available until expended.

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *; Provided, That regulations pertaining to mining operations on public lands conducted under the Mining Law of 1872 (30 U.S.C. 22, et seq.) and sections 302, 303, and 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732, 1733, and 1782) shall be modified to include a requirement for the posting of reclamation bonds by operators for all operations which involve significant surface disturbance, (a) at the discretion of the authorized officer for operators who have a record of compliance with pertinent regulations concerning mining on public lands, and (b) on a mandatory basis only for operators with a history of noncompliance*

with the aforesaid regulations: Provided further, That surety bonds, third party surety bonds, or irrevocable letters of credit shall qualify as bond instruments: Provided further, That evidence of an equivalent bond posted with a State agency shall be accepted in lieu of a separate bond: Provided further, That the amount of such bonds shall be sufficient to cover the costs of reclamation as estimated by the Bureau of Land Management

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Bill language is also included providing for new procedures for bonding hardrock mining operations. Bonds would be required of all operators with a record of non-compliance involving surface disturbances. Bonds would continue to be discretionary for operators with a proven record of compliance with BLM regulations and stipulations. The managers have also included a broader concept of bonding to include acceptance of equivalent State bonds, third party surety bonds or irrevocable letters of credit as recommended by the Department of the Interior bonding task force.

The managers understand that the Bureau of Land Management is establishing a task force to examine activities conducted under the Mining Law of 1872 on public lands with specific emphasis directed toward adequacy and necessity of reclamation bonding for operations involving less than five acres. The managers expect that upon completion of the task force examination, the Bureau of Land Management will inform the appropriate committees in the House and Senate of its findings, and expect a progress report no later than May 1, 1987.

Construction and access

Amendment No. 4: Appropriates $2,800,000 for construction and access as proposed by the Senate instead of $1,200,000 as proposed by the House.

Land acquisition

Amendment No. 5: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $6,220,000 for land acquisition instead of $850,000 as proposed by the House and $800,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to the following distribution, including allocation by reprogramming of $305,000 in unobligated balances from the Rogue Wild and Scenic River.

Acquisition management	$300,000
El Malpais Natural Area, NM	250,000
Gila Lower Box Area of Critical Concern, NM	250,000
King Range Conservation Area, CA	1,000,000
Owyhee National Wild River, OR	700,000
Red Rock Recreation Area, NV	3,000,000
Steens Mountain Recreation Area, OR	225,000
Upper Missouri Wild and Scenic River, MT	500,000

Inholdings, including designated wilderness areas	300,000
Total	6,525,000

Oregon and California grant lands

Amendment No. 6: Appropriates $54,524,000 instead of $54,260,000 as proposed by the House and $55,642,000 as proposed by the Senate. The $264,000 increase above the House amount is for Forestry Intensive Research (FIR) and the Coastal Oregon Productivity Enhancement program (COPE). The managers agree that the $1,100,000 unobligated balanced adjustment proposed by the House will be applied for timber development, management, and reforestation in renewable resources management. An additional $1,350,000 for mapping assistance for decadal planning for the O&C lands is included in the "Surveys, investigations, and research" account of the Geological Survey.

Range improvements

Amendment No. 7: Appropriates $9,253,000 instead of $8,506,000 as proposed by the House and $10,000,000 as proposed by the Senate.

Amendment No. 8: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

LAND ACQUISITION

Rescission

Of the funds appropriated under this head in Public Law 98-396 to carry out the provisions of Public Law 93-531, as amended, $3,200,000 are rescinded.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to delete House language on the assignment of grazing permits, but expect the Bureau to prosecute illegal subgrazing vigorously.

The managers agree to a rescission of $3,200,000 which is no longer required for cash equalization payments related to Navajo-Hopi land exchanges.

UNITED STATES FISH AND WILDLIFE SERVICE

Resource management

Amendment No. 9: Provides $1,000,000 for the Youth Conservation Corps as proposed by the House instead of no funds as proposed by the Senate.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $314,692,000 for resource management instead of $313,352,000 as proposed by the Senate and $306,500,000 as proposed by the House. The managers on the part of the Senate will

offer a motion to recede and concur in the amendment of the House to the amendment of the Senate.

The net increase above the amount provided by the Senate includes increases of $300,000 to continue the Des Plaines wetlands study, $1,000,000 for waterfowl mortality factors, $250,000 for nongame research, $115,000 for initial operating expenses of the Northeast Anadromous Fish Research Laboratory, $150,000 for the Gainesville National Fishery Research Laboratory, $135,000 for red wolf recovery, $250,000 for endangered species listing, $260,000 for the Senecaville NFH, OH, $100,000 for fishery mitigation, $300,000 for endangered species law enforcement and $300,000 for consultation; and decreases to the Senate position of $702,000 for refuge maintenance, $340,000 for Alaska refuges operations and maintenance, $250,000 for prelisting, and $125,000 for research on Chinook and Chum Salmon on the Yukon River. There is also a decrease of $153,000 to the amount provided by the Senate for fixed costs and to replace unrealized administrative savings and a reduction of $250,000 in the amount provided the Fish and Wildlife Foundation for matching grants.

The $300,000 provided to continue the Des Plaines wetland study is with the understanding that there is no commitment to involve the Fish and Wildlife Service beyond the research stage. The additional $1,000,000 for waterfowl mortality factors includes $500,000 for research and $500,000 for waterfowl habitat production.

The managers agree to designate the Washington cooperative research unit as a combined fish and wildlife cooperative research unit and establish a unit at the University of Minnesota.

The report requested by the Senate on FTE levels at refuges expanded to include staffing levels at research units and for law enforcement. The report should be provided to the Committees by March 1, 1987.

The managers reiterate the House report language directing the Service to provide management and technical support to North Carolina and the Environmental Protection Agency in designing a comprehensive research plan for the Albemarle/Pamlico estuary.

The managers have reviewed the issuance of special use permits at the Tennessee National Wildlife Refuge. The managers direct the Service to negotiate and reoffer special use permits at the Tennessee National Wildlife Refuge to landowners on the north shore of Swamp Creek that held such permits in 1984. The reissued permits shall provide for land use activities that are consistent with the National Wildlife Refuge System Administration Act. The Service shall enforce the terms and conditions of all special use permits in an evenhanded manner. The managers have agreed to review the progress made by the Service during the fiscal year 1988 appropriations hearings.

The managers have provided a total of $4,500,000 above the budget for the Service's contaminant program. For refuge lands, the managers have recommended an increase of $2,000,000. Of this amount, the managers recommend that $1,500,000 be used to move aggressively to initiate necessary studies, to accelerate the analysis of refuge samples, and to continue to develop and implement strategies to clean up affected refuges and initiate clean-up actions where appropriate. Further, the Service is urged to develop and im-

plement a plan for long term contaminant monitoring of refuge habitats and wildlife. This activity should be designed to detect the presence of contaminants throughout the National Wildlife Refuge System through repetitive sampling, resulting in early detection and correction of identified problems in the future. The managers have provided $500,000 within the allowance for this activity and the funding may also be used for development sampling and analytical protocols and to train refuge employees to participate in the collection of samples. The Service is to enter into an agreement providing one-half of the funding to the Idaho National Engineering Lab (INEL) for design of the long term monitoring system, development of sampling and analytical protocols, and employee training.

In research and development, the managers recommend five initiatives totaling $2,500,000: (1) $500,000, to be used to assess the effects of new contaminants; (2) $550,000, to begin a long term study on the upper Mississippi River; (3) $450,000 for a long term study of contaminants and diving ducks on the Gulf Coast; (4) $600,000, to be spent pursuant to an agreement between the Service and INEL, for developing a scientifically sound national strategy and plan that reviews and integrates activities and responsibilities of all Federal agencies relative to contaminant monitoring in aquatic and terrestrial ecosystems including surface and groundwater, and for training the non-Federal sector in appropriate quality assurance/quality control procedures for contaminant analysis, to enable them to meet Service analytical lab needs; and (5) $400,000 for a long term study in the San Francisco Bay.

The managers direct the Secretary to enter into a long term Memorandum of Understanding (MOU) with the State of Ohio for the State to operate the Senecaville National Fish Hatchery. Such long term MOU is contingent upon the State of Ohio agreeing to rear or allow the rearing of striped bass for the Department of the Interior's Chesapeake Bay restoration program as needed by the Fish and Wildlife Service, through 1990. Any costs at Senecaville associated with the striped bass program incurred by the State of Ohio shall be reimbursed by the Service to the State. The managers have included a total of $416,000 in fiscal year 1987. Of that amount $166,000 is provided for necessary maintenance and repairs at the facility. The remainder of the funds may be used to reimburse the State of Ohio for rearing the required fish, to contract with private producers for the production of fish, for continued (through 1990) limited operations at Senecaville associated with the striped bass program, to cover the costs of added production at other Federal hatcheries, or in any combination of the above.

The managers generally endorse the Service's statement of fishery roles and responsibilities and the current production and distribution priorities.

The $300,000 provided for Leetown National Fishery Center is for striped bass.

Amendment No. 11: Provided no limitation on the Office of Legislative Services as proposed by the Senate.

Amendment No. 12: Deletes language proposed by the Senate on the coordination of research efforts.

The managers have agreed to drop language included in the bill by the Senate directing the Southeastern Fish Culture Laboratory to coordinate its research with the Alabama Cooperative Fishery Research Unit, but affirm their support of the intent of the language.

Construction and anadromous fish

Amendment No. 13: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $26,513,000 instead of $21,113,000 as proposed by the House and $23,603,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase above the House includes increases of $1,500,000 for Kenai NWR, AK rehabilitation, $1,200,000 for a Bogue Chitto NWR, LA visitor center, $2,000,000 for Leetown National Fishery Center raceway and pond rehabilitation and $900,000 for a Kilauea Point, HI visitor facility; and a decrease of $200,000 for the National Fishery R&D Laboratory, PA.

Language is included to earmark $2,000,000 for Anadromous Fish grants, including $500,000 to continue striped bass studies.

The managers encourage efforts to reduce overall costs at the Minnesota Valley NWR visitor center and to raise private contributions to help reduce the cost to complete this facility.

Migratory bird conservation account

Amendment No. 14: Appropriates $7,000,000 as an advance to this account instead of $3,000,000 as proposed by the House and $10,561,000 as proposed by the Senate.

The managers encourage the use of these funds for acquiring part of the Little River Wildlife Refuge at a level of $1,100,000 if the study presently being conducted by the U.S. Fish and Wildlife Service and the Corps of Engineers proves the wildlife refuge to be compatible.

The managers also urge the Migratory Bird Conservation Commission to consider additional acquisition activity in the Chickasaw NWR, Tennessee and Arkansas, and additional land acquisition at Cache NWR, LA with willing sellers only.

Land acquisition

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $42,425,000 instead of $33,225,000 as proposed by the House and $41,775,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House of the amendment of the Senate.

The following table shows the allocation agreed to by the managers:

Inholdings	$1,000,000
Acquisition management	1,750,000
Alligator River NWR, NC	650,000
Aransas NWR, TX	3,000,000

Ash Meadows NWR, NV	500,000
Bayou Sauvage NWR, LA (subject to authorization)	3,000,000
Bogue Chitto NWR, LA	1,000,000
Bon Secour NWR, AL	500,000
Connecticut Coastal NWR, CN	600,000
Eastern Shore NWR, VA	375,000
Finnegan Cut, CA	1,100,000
Florida Panther NWR, FL	3,000,000
Great Dismal Swamp NWR, NC	750,000
Hakalau Forest, HI	3,000,000
Kirtlands Warbler, MI	300,000
Lower Rio Grande NWR, TX	6,000,000
Lower Suwanee NWR, FL	1,500,000
Minnesota Valley NWR, MN	1,500,000
National Key Deer NWR, FL	2,000,000
Rachel Carson NWR, ME	900,000
Red Rocks Lake Refuge, MT	2,000,000
Sacramento NWR, CA	2,200,000
San Francisco Bay NWR, CA	1,500,000
Tensas River NWR, LA	1,000,000
Willapa NWR, WA	3,300,000
Total	42,425,000

Within the $1,750,000 for acquisition management the managers have provided $150,000 for the Sacramento River National Wildlife Refuge study with the understanding that the Fish and Wildlife Service will coordinate any plans for a refuge with other Federal, State, and local agencies and landowner groups along the river. The managers anticipate that taking into account multiple views will lead to an overall plan using a variety of tools and policies to achieve multiple objectives. The managers recognize that proper coordination with the State may require the Fish and Wildlife Service to take more time in the preparation of the study than set forth by the House.

The managers have not provided land acquisition funds for the Carrizo Plain NWR, CA in this bill. The Fish and Wildlife Service and the Bureau of Land Management are to continue to work together to plan for the refuge.

Administrative provisions

Amendment No. 16: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides the Fish and Wildlife Service authority to construct buildings necessary for a forensics laboratory on a site leased by the Service.

NATIONAL PARK SERVICE

Operation of the National Park System

Amendment No. 17: Provides $1,000,000 for the Youth Conservation Corps as proposed by the House instead of no funds as proposed by the Senate.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $649,613,000 for Operation of the National Park System instead of $628,875,000 as proposed by the House and $579,055,000 as proposed by the Senate. The managers on the part

of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Increases above the House include $470,000 for Glen Canyon NRA, $421,000 for New River Gorge NR, WV, including $330,000 for operations and $91,000 for development of concept plans, $150,000 for Saguaro NM, AZ, $250,000 for Jean Lafitte NHP, LA, $60,000 for the National Capital Region's July 4 mall celebration, $80,000 for new exhibits and $85,000 for police support at Harpers Ferry NHP, WV, $170,000 for maritime preservation activities, $247,000 for resource evaluation of sensitive habitat at Organ Pipe NM, AZ, $53,000 for the Alaska Land Use Council, $75,000 for Congressional Affairs, $15,000,000 for enhanced park operations as related to the entrance fee proposal, $3,500,000 for additional costs of fee collection, and $991,000 for fixed costs. There are decreases to the House position of $64,000 for Ford's Theater support, $100,000 for Ellis Island NHS, NY interpretation and visitor services, and $150,000 for Delaware Water Gap NRA, PA and $500,000 for the Volunteers-in-Parks program.

The managers are concerned about Park Service employee housing conditions. To address this concern, the Park Service should complete a housing study and make recommendations to the Committees about methods to improve housing conditions for employees. Innovative leasing and ownership arrangements should be considered.

The managers direct that the $398,000 made available for a cooperative agreement with the Johnstown Flood Museum Association shall be obligated by the National Park Service as soon after November 30, 1986 as possible, by which time the cooperative agreement, required pursuant to Section 2 of Public Law 99-388 (100 Stat. 826), shall have been executed. A match, as required in Public Law 99-388 remains in effect.

The managers agree that hereafter the Service should use its internal reprogramming authority so that there will be no diminution of the amount provided for the Roosevelt Campobello International Park Commission, unless reduced by the House or Senate in a report accompanying the appropriations bill.

The additional amount provided for park operations at Santa Monica may be used to handle land acquisition activities at the park.

The appropriation provides $790,000 for a new Park Police rookie class. The managers agree to continue the practice of staffing the law enforcement needs at Golden Gate NRA and Gateway NRA with Park Police. The Service is directed to meet seasonal fluctuations in law enforcement needs with temporary staff and to discontinue the past practice of detailing Park Police from the National Capital Region to the other units as a method of meeting seasonal workload.

The managers note that the Inspector General of the United States Department of the Interior recently concluded an investigation of allegations of mismanagement, falsification of records, and obstruction of a GAO inquiry at Gateway NRA, NY. The managers are pleased to note that the investigation disclosed no evidence to support the allegations. The managers encourage the Secretary to follow through on this finding, if appropriate.

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Amendment No. 19: Provides restrictions on the Office of Legislative and Congressional Affairs as proposed by the House.

Amendment No. 20: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides $85,000 to assist the police force of Harpers Ferry, WV.

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following: *: Provided further, That to advance the mission of the National Park Service, for a period of time not to extend beyond fiscal year 1987, the Secretary of the Interior is authorized to charge park entrance fees for all units of the National Park System, except as provided herein, of an amount not to exceed $3 for a single visit permit as defined in 36 CFR 71.7(b)(2) and of an amount not to exceed $5 for a single visit permit as defined in 36 CFR 71.7(b)(1): Provided further, That the cost of a Golden Eagle Passport as defined in 36 CFR 71.5 is increased to a reasonable fee but not to exceed $25 until September 30, 1987: Provided further, That for units of the National Park System where entrance fees are charged the Secretary shall establish an annual admission permit for each individual park unit for a reasonable fee but not to exceed $15, and that purchase of such annual admission permit for a unit of the National Park System shall relieve the requirement for payment of single visit permits as defined in 36 CFR 71.7(b): Provided further, That all funds derived from National Park Service entrance fees during fiscal year 1987 and all funds collected during fiscal year 1987 under subsections (a), (b), and (c) of section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–6a), shall be transferred to the General Fund of the Treasury of the United States: Provided further, That notwithstanding any other provision of this Act, no admission fee may be charged at any unit of the National Park System which provides significant outdoor recreation opportunities in an urban environment and to which access is publicly available at multiple locations, nor shall an admission fee be charged at any unit of the National Park System which has a current, specific statutory exemption: Provided further, That where entrance fees are established on a per person basis, children 12 and under shall be exempt from the fees: Provided further, That if permanent statutory language is enacted during fiscal year 1987 establishing National Park System entrance fees, the provisions of that language shall supersede the fee provisions contained in this Act: Provided further, That of the funds provided under this head, $15,000,000 shall be distributed to units of the National Park System, to be available for resource protection, research, interpretation, and maintenance activities related to resource protection, to be distributed in the following manner: 50 percent shall be provided to all units of the System based on each unit's proportion of park operating expenses, and 50 percent shall be provided to units with entrance fees based on each collecting unit's proportion of total entrance fee collections: Provided further, That the following may be cited as the "Steamtown National Historic Site Act of 1986":*

SECTION 1. DESIGNATION AS NATIONAL HISTORIC SITE.

The property known as Steamtown, consisting of the land, historic roundhouse, switchyard, and associated buildings, track and equipment, and located on approximately 40 acres in Scranton, Pennsylvania, is hereby designated as the Steamtown National Historic Site (hereafter in this Act referred to as "the Site"). The Site is generally depicted on the map entitled "Steamtown National Historic Site", numbered STTO-80,000 and dated September 1986. A copy of the map shall be on file and available for inspection in the offices of the National Park Service in Washington, D.C., and in appropriate regional and local offices.

SEC. 2. MANAGEMENT OF SITE.

(a) PREPARATION OF MANAGEMENT PLAN.—The Secretary shall prepare a comprehensive management plan for the Site, which shall include all of the elements required for general management plans under section 12 of the Act entitled "An Act to improve the administration of the National Park System by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes" approved August 18, 1970 (U.S.C. 1a-7), and shall be submitted to the Congress no later than September 30, 1987.

(b) ADMINISTRATION OF SITE.—(1) The Secretary shall administer the Site through cooperative agreements and grant agreements, as appropriate, with the owner or owners of the property. The Secretary may provide financial and technical assistance in planning interpretation, maintenance, preservation, and appropriate public use of the Site and associated rolling stock in order to further public understanding and appreciation of the development of steam locomotives in the region.

(2) The Secretary of the Interior may acquire the Site, and all or part of the associated rolling stock, by donation or with donated funds and may begin to take such actions as are called for in the management plan. Upon acquisition pursuant to this paragraph, the Site and any acquired associated rolling stock shall thereafter be administered by the Secretary in accordance with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (16 U.S.C. 1 et seq.), and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects and antiquities of national significance, and for other purposes" approved August 21, 1935 (16 U.S.C. 461 et seq.).

SEC. 3. ADVISORY COMMITTEE.

The Secretary is authorized to establish a Steamtown Advisory Committee and appoint up to ten members, who shall serve at no cost to the United States.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated $20,000,000 for the administration of the Steamtown National Historic Site and for assistance to the owner thereof pursuant to the agreements referred to in section 2(b).

SEC. 5. APPROPRIATIONS.

For expenses necessary to carry out the provisions of this Act, $8,000,000, to remain available until expended

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Bill language is included establishing the Steamtown National Historic Site in Scranton, PA. An authorization of $20,000,000 is provided and $8,000,000 is appropriated so that necessary facility maintenance and rolling stock protection may begin immediately.

Bill language has been included providing for a one-year National Park System entrance fee to further park purposes. The provisions included in the bill will be superceded by the provisions of permanent statutory language if such language is enacted during fiscal year 1987.

The language provides for a top fee of $5.00 per vehicle and exempts children 12 and under from entrance fees where the fee is collected on a per person basis. The language amends the Senate proposal to provide that existing entrance fees, new entrance fees, user fees and the additional entrance fees shall go toward park purposes. The managers have provided a direct appropriation of $15,000,000 as the amount available for enhanced park operations due to this park fee provision. A specific list of appropriate uses for this money is included in the bill. This money shall be distributed as follows: 50 percent to all park units based on total operating budgets and 50 percent to collecting parks based on the estimated share of entrance fee revenue collected. The managers have provided an additional $3,500,000 to cover the increased costs of fee collection. The managers encourage the Director to consider allocating the additional fee collection funding and staffing through the regional offices, in an effort to prevent park managers from having to choose between fee collection staffing and staffing for other park management activities.

To simplify the collecting, accounting, and utilization of fee receipts, the language provides that the fee receipts shall be deposited directly into the General Fund. As a result of the direct appropriation of additional funding for enhanced park operations, the Service shall have the estimated fee receipts available at the beginning of the year, while fees shall be returned to the Treasury as they are collected throughout the year.

There is considerable concern about which park units will actually have an entrance fee program during fiscal year 1987. Bill language has been included establishing an exemption for any unit which provides significant outdoor recreation opportunities in an urban environment and to which access is publicly available at multiple locations. An additional exemption has been provided for any unit which has a current, specific statutory exemption. The managers direct the Secretary to consider existing statutory fee criteria stated in the Land and Water Conservation Fund Act, as amended, when determining which park units will have new fees. Further, the Secretary is encouraged to charge fees only at units where receipts will exceed collection costs and to consider other appropriate factors, including the current charging of user fees.

The managers direct the Secretary to send a list of park units and the existing and new entrance fees proposed, and the existing

user fees for all units, to the appropriate Congressional committees by December 15, 1986.

National recreation and preservation

Amendment No. 22: Appropriates $10,628,000 for National Recreation and Preservation instead of $10,904,000 as proposed by the House and $10,277,000 as proposed by the Senate.

The net decrease below the House includes reductions of $294,000 for national register programs and $17,000 for environmental compliance review and an increase of $35,000 for maritime activities to be done by the Historic American Engineering Record.

Historic preservation fund

Amendment No. 23: Appropriates $24,250,000 for the Historic Preservation Fund instead of $24,200,000 as proposed by the House and $24,300,000 as proposed by the Senate. This includes $20,000,000 for grants to the States and $4,250,000 for the National Trust for Historic Preservation.

The allowance for the Trust includes an additional $50,000 to continue maritime preservation efforts.

Construction

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $88,095,000 instead of $75,989,000 as proposed by the House and $76,518,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have agreed to the following changes to the House bill:

Cape Hatteras NS, NC	+4,070,000
C&O Canal Flood Repair, MD	+2,000,000
Cuyahoga Valley NRA, OH	−245,000
Delaware Water Gap NRA, PA	−800,000
Denali NP, AK	+3,550,000
Eugene O'Neill NHS, CA	−724,000
Fort Union NHS, ND	+700,000
Glen Canyon NRA, UT	+30,000
Grand Canyon NP, AZ	+435,000
Guadalupe Mtns. NP, TX	−250,000
Haleakala NP, HI	+500,000
Harpers Ferry NP, WV (completion of water system)	+140,000
Jean Lafitte NHP, LA	+1,080,000
Katmai NPP, AK	+320,000
New River Gorge NR, WV	+2,600,000
Sitka NHP, AK	+700,000
Springfield Armory NHS, MA	−1,000,000
Yellowstone NP, WY	−1,000,000

Within the amount provided for planning, the managers agree to the following projects:

Canyonlands NP, UT—visitor facility	$495,000
Knife River NHS, ND—visitor facility	435,000
Harpers Ferry NHP, WV—bldg. rehabilitation	80,000
Glen Canyon NRA, UT—State line project	400,000
Little Kinnakeet Lifesaving Station, Cape Hatteras NS, NC	55,000
Guadalupe Mtns. NP, TX—visitor facility	250,000
Wolf Trap Farm Park, VA—traffic study and improvements	100,000

Glen Echo Park, MD—rehabilitation	50,000
Johnstown Flood NM, PA	150,000

In addition there is $2,000,000 within available funds for the Buffalo NR, AR, Tyler Bend Facility.

Of the funds provided for Denali NP, AK, the Service is to provide $620,000 for rehabilitation at the Wonder Lake campground, $349,000 for the Polychrome Pass comfort station, and the remainder of $2,581,000 to initiate construction of a visitor facility.

The managers understand that future construction needs at the Glen Canyon NRA (State line project) will be met by the concessioner, without establishing a possessory interest.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided further, That for payments of obligations incurred for improvements to the George Washington Memorial Parkway, $2,500,000 to be derived from the Highway Trust Fund and to remain available until expended to liquidate contract authority provided under section 104(a)(8) of Public Law 95-599, as amended, subject to the availability of funds for an additional lane on the Theodore Roosevelt Bridge: Provided further, That funds appropriated under this head to carry out the provisions of sections 303 and 304 of Public Law 95-290 shall also be available to carry out the provisions of section 302*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have agreed to the inclusion of $2,500,000 to be derived from the Highway Trust Fund for the construction of an additional inbound lane on the George Washington Memorial Parkway as proposed by the House.

The addition of section 302 provides additional authority to the Secretary relating to the implementation of the Lowell Park Preservation Plan.

Land acquisition and State assistance

Amendment No. 26: Appropriates $87,220,000 instead of $101,100,000 as proposed by the House and $73,400,000 as proposed by the Senate. The following table shows the allocation agreed to by the managers:

Assistance to States:	
Matching grants	$32,700,000
Administrative expenses	2,270,000
Total, Assistance to States	34,970,000
National Park Service:	
Acquisition management	5,000,000
Hardships, inholdings and emergencies	5,000,000
Acadia NP, ME	3,500,000
Apostle Islands NL, WI	300,000
Appalachian Trail	7,000,000
Big Cypress NP, FL	2,000,000
Big Thicket NP, TX	4,000,000
Cuyahoga Valley NRA, OH	4,500,000
Delaware Water Gap NRA, PA	2,000,000

Gates of the Arctic NP, AK (Walker Property)	175,000
Golden Gate NRA, CA	2,000,000
Haleakala NP, HI	1,000,000
Indiana Dunes NL, IN	1,000,000
Lake Clark NPP, AK (including $175,000 for Twin Lakes)	1,675,000
Lowell NHP, MA	800,000
Mound City Group, OH	1,000,000
New River Gorge NR, WV	1,000,000
North Cascades NP, WA	500,000
Olympic NP, WA	2,000,000
San Antonio Mission NHP, TX	500,000
Santa Monica Mountains NRA, CA	6,000,000
Sequoia-Kings Canyon NP, CA	1,100,000
Wind Cave NP, SD	200,000
Subtotal, NPS	52,250,000
Total, National Park Service	87,220,000

The highest priority for Santa Monica Mountains NRA, CA acquisition is hardship cases. The funds provided are not to be used to reimburse California for land purchases.

Amendment No. 27: Provides $2,270,000 for state grant administration as proposed by the House instead of $2,300,000 as proposed by the Senate.

Amendment No. 28: Deletes language proposed by the House providing funds for Apostle Islands National Lakeshore subject to authorization.

Amendment No. 29: Appropriates $250,000 for the Illinois and Michigan Canal National Heritage Corridor Commission as proposed by the House instead of nothing as proposed by the Senate. The managers will carefully review funding for the Commission in fiscal year 1988.

Amendment No. 30: Appropriates $75,000 for the Jefferson National Expansion Memorial Commission as proposed by the House instead of nothing as proposed by the Senate. The managers will carefully review funding for the Commission in fiscal year 1988.

Administrative provisions

Amendment No. 31: Allows the transfer of no-year funds to cover emergencies as proposed by the House instead of allowing the transfer of annual funds only as proposed by the Senate.

Amendment No. 32: Restores language stricken by the Senate allowing the use of any funds available to the Park Service to maintain law and order and for other emergency situations.

The managers have agreed to continue bill language which allows the Park Service to transfer no-year funds to cover costs of emergency search and rescues, law and order emergencies and unforeseen law enforcement situations. The managers are concerned about abuses of this authority as reported by GAO and request monthly reports on its use. Bill language has been included under Amendment No. 34 to make any transfers subject to Committee reprogramming guidelines.

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *consistent with the process employed in the Amerecord, Inc. test case which was settled on August 20, 1983, and other applicable legal principles to determine whether any or all of such claimants ought to be awarded equitable compensation by the Congress, and, if so, in what amount*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment modifies language proposed by the House and stricken by the Senate and retains language added by the Senate regarding settlement of certain claims of the licensees of the American Revolution Bicentennial Administration to state that the process used in settling the test case should be applied to the remaining cases.

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided further, That any funds available to the National Park Service may be used, with the approval of the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 97-942, to maintain law and order in emergency and other unforeseen law enforcement situations and conduct emergency search and rescue operations in the National Park System*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to strike House language prohibiting issuance of a request for proposals to lease any or all of Glen Echo Park. The Park Service is encouraged to continue to work out a mutually satisfactory arrangement with the newly formed Glen Echo Park Foundation. The Foundation is willing to raise private funds for the rehabilitation of existing Glen Echo Park facilities in order to maintain the current character of the park. The managers have provided $50,000 in planning funds to help start the process.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that funds received by the National Park Service as reimbursement for the cost of providing security, law enforcement, interpretive, and other services with respect to the operation of facilities at the Jefferson National Expansion Memorial National Historic Site shall be credited to the appropriation bearing the cost of providing such services.

GEOLOGICAL SURVEY

Surveys, investigations, and research

Amendment No. 36: Appropriates $418,665,000 for surveys, investigations and research instead of $423,220,000 as proposed by the House and $402,933,000 as proposed by the Senate. The decrease below the amount proposed by the House consists of increases of $1,500,000 for continuation of Louisiana coastal erosion studies;

$700,000 for administration of water resources research institutes; $370,000 for national water resources research and technical development competitive grant programs; and $524,000 for grants to water resources research institutes on a per capita basis; and decreases of $249,000 for cartographic and geologic information; $500,000 for equipment for Parkfield, CA, in earthquake hazards reduction; $900,000 in landslide hazards reduction; $1,000,000 in energy geologic surveys for coal investigations; $2,000,000 in National water data collection and analysis; and $3,000,000 for the National water quality assessment.

The managers agree that grant funds made available to State water resources research institutes which are not matched by States on the statutory basis of one and a half State dollars for each Federal dollar shall be available for the competitive grant programs.

Amendment No. 37: Provides $52,835,000 for cooperative water resource investigations as proposed by the House instead of $50,195,000 as proposed by the Senate.

MINERALS MANAGEMENT SERVICE

Leasing and royalty management

Amendment No. 38: Appropriates $160,697,000 instead of $162,893,000 as proposed by the House and $155,187,000 as proposed by the Senate.

In outer continental shelf lands, the difference over the amount proposed by the Senate is a result of increases of $1,087,000 in leasing and environmental programs and $1,000,000 in regulatory program. These increases are offset by a reduction of $436,000 in resource evaluation which includes a restoration of a general reduction of $764,000 which is offset by a reduction of $1,200,000 for geological and geophysical data acquisition.

In mineral revenue collections the difference over the amount proposed by the Senate is a reduction of $105,000 for two attorneys with the Solicitor's Office which is offset by an increase of $523,000 which the Senate had proposed as a general reduction. The managers agree that costs associated with the Solicitor's Office should be in the Solicitor's budget. No funds have been included in mineral revenue collections for late interest payments as proposed by the Senate. In mineral revenue compliance the difference over the amount proposed by the Senate is an increase of $2,500,000 for 50 additional auditors and support staff as well as an increase of $369,000 which the Senate had proposed as a general reduction. The managers agree that MMS is to report quarterly to the Committees on the number of FTE's involved in conducting audits, the cost of this effort and any return realized as well as a projection of the assignment of the auditors for the balance of the fiscal year. Bill language is included which specifies that not less than $11,059,000 shall be spent for the mineral revenue compliance audit program.

In general administration the difference over the amount proposed by the Senate is an increase of $624,000 in general support services which is offset by a reduction of $52,000 for office consoli-

dation since shuttle service will not be needed for the entire fiscal year.

The managers agree that the Department is to report back to the Committees by December 31, 1986, on how best to structure cooperative agreements with States for the auditing of revenues from section 9(g) Outer Continential Shelf lands. In addition, the Department must implement, by no later than the end of the fiscal year, an accurate and regular reporting system for payments from the 8(g) settlement in accordance with 30 U.S.C. 1715(a). In every month prior to the implementation of that reporting system, the Department is directed to provide the States with information description of payment, the period covered, the payor and source of payment, including amount, quality and unit value of production by lease and royalty rates as well as unit resources, and the basis for valuation to the extent that information is available.

The managers are concerned that adjustments are being made in the Auditing and Financial System with no restrictions. These adjustments create an increased workload on a monthly basis and a disruption of audit trails. As a result, the government cannot be assured that there is an accurate accounting of the royalties due. Therefore, the Secretary is to request that a study be conducted by the Royalty Management Advisory Committee on the current adjustment procedures with an emphasis on developing ways to simplify this process while maximizing revenues. This study is to be submitted with the fiscal year 1988 budget request for the Minerals Management Services.

The managers agree that product value guidelines need to be deatermined expeditiously so that auditors will have sound criteria within which to work. Therefore, proposed product value guidelines for coal and oil are to be published in the Federal Register within 90 days of enactment and gas guidelines within 120 days of enactment of this Act.

The Minerals Management Service is to continue to notify the Commitees by quarterly reports on progress in meeting its system integration plan for the new royalty management computer system as well as the status of the operation of the system, including any anticipated enhancements and their cost once the reimplementation of the Auditing and Financial System is completed and placed in operation. Any difficulties in reaching these deadlines are to be included in the quarterly report along with the reasons for not achieving them.

Amendment No. 39: Provides $44,904,000 for royalty management instead of $45,354,000 as proposed by the House and $41,617,000 as proposed by the Senate.

Amendment No. 40: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided further, That not less than $11,059,000 is to be used for the mineral revenue compliance audit program*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The amendment earmarks funds for the auditing program and deletes

House language on deduction of costs of collection of mineral leasing receipts.

Amendment No. 41: Deletes language proposed by the Senate regarding payments for geological and geophysical data.

BUREAU OF MINES

Mines and minerals

Amendment No. 42: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $138,162,000 instead of $126,429,000 as proposed by the House and $130,965,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

In health and safety technology the difference over the amount proposed by the Senate is a result of increases of $1,000,000 for robotics; $250,000 for fires and explosions; $250,000 for post disaster research; $2,500,000 for respirable dust research to be conducted by Pennsylvania State University, West Virginia University, the University of Minnesota and the Massachusetts Institute of Technology; $1,000,000 for ground control to continue mountain bump research on in-mine evaluation of geological conditions; and $800,000 for methane research. These increases are offset by a decrease of $500,000 for rock burst research.

In advanced mining technology the difference over the amount proposed by the Senate is a result of an increase of $1,500,000 for proof-of-concept validation to complete surface and underground evaluations of previously developed prototype mining equipment. This increase is offset by decreases of $500,000 for predictive research and $500,000 for the in-situ copper mining demonstration at Casa Grande, Arizona. In resource conservation technology the difference from the amount proposed by the Senate is due to increases of $500,000 for acid mine drainage research; $500,000 for subsidence research; $1,900,000 for the transfer of title IV research from the Office of Surface Mining to the Bureau of Mines; and an offsetting decrease of $500,000 for water contamination research. In transferring the title IV research from the Office of Surface Mining, the managers expect that the Bureau will focus on research which can be completed in a short timeframe. If the research originally conducted by the Office of Surface Mining cannot be conducted by the Bureau in-house, it should be competitively bid. The Bureau is to coordinate its activities with the Office of Surface Mining and other Federal agencies to assure a coordinated approach to maximize the benefit derived from these expenditures and avoid duplication. Specifically, the Bureau is to consult with the OSM Assistant Directors for Field Operations to assure the research conducted meets the needs of those in the field.

In minerals and materials the difference over the amount proposed by the Senate is a result of increases of $750,000 to restore research in this area; $100,000 to continue research initiated in fiscal year 1986 on a flame reactor which will recover strategic materials from a wide variety of sources; and an offsetting decrease of

$1,000,000 for research to be conducted at the Idaho National Engineering Laboratory.

In mineral institutes the difference over the amount proposed by the Senate is due to increases of $550,000 for allotment grants and $333,000 for the administration of the program. These increases are offset by a decrease of $3,271,000 for research grants. In respect to the competitive research program, it is the managers' expectation that there will be open competition among the mineral institutes for these funds within the generic areas of research with the focus being on the highest priority research problems.

In general administration there is an increase of $1,535,000 over the amount proposed by the Senate.

With the increases provided, the Bureau is directed to hold their FTE level at the fiscal year 1986 post-sequestration level.

The managers understand that the Bureau of Mines has a carryover balance from fiscal year 1986 of approximately $4,000,000 which will serve to complete many of the Bureau's research projects. The managers direct the Bureau to use up to $500,000 for not less than seven months of full operation to continue to fruition the controlled burnout program in Albright, West Virginia.

In addition, the managers agree that within available funds the Bureau is to conduct a study on the status of the chromium industry including an analysis of the chromite extracting and ferrochromium processing technologies in commercial use in the United States in relation to the technologies used by United States competitors.

Amendment No. 43: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which provides $83,130,000 to remain available until expended instead of $77,505,000 as proposed by the House and $74,680,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Administrative provisions

Amendment No. 44: Deletes language proposed by the Senate allowing the sale of excess property or land.

Amendment No. 45: Deletes language proposed by the Senate allowing the proceeds of land sales to be used to purchase other land or property.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Regulation and technology

Amendment No. 46: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $100,003,000 instead of $99,078,000 as proposed by the House and $96,130,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The difference over the amount proposed by the Senate includes an increase of $3,000,000 in State regulatory program operations.

These additional funds have been provided to allow States to administer the inspectable units program. States are to establish an inventory of all sites subject to the Act since 1977, determine a priority system for their inspection, take photographs of site conditions and take enforcement action where necessary. The State files are to be open to OSM inspection at any time.

In regulatory program operations the difference over the amount proposed by the Senate includes an increase of $843,000 for 10 additional two-acre and bond forfeiture inspectors and the use of a helicopter; $700,000 for 10 troubleshooters to be divided equally between the Eastern and Western technical centers with one specifically assigned to Ohio; and $100,000 for 2 additional inspectors for the inspection of both production and non-production sites.

In technical services, training and research the difference from the level of funding proposed by the Senate is a result of a reduction of $500,000 for training.

In general administration the difference from the amount proposed by the Senate consists of reductions of $70,000 for executive direction and $200,000 for general services for decentralization costs.

Abandoned mine reclamation fund

Amendment No. 47: Appropriates $203,720,000 instead of $232,720,000 as proposed by the House and $187,020,000 as proposed by the Senate.

In State reclamation program grants the difference from the amount proposed by the Senate is a result of an increase of $10,000,000.

In reclamation program operations the difference from the amount proposed by the Senate is a reduction of $1,900,000 for title IV research which is being funded in the Bureau of Mines.

In the rural lands reclamation program there is an increase of $8,600,000 over the amount proposed by the Senate.

The managers continue to be concerned about the high unobligated balances from prior year State reclamation grants. OSM is to keep updated obligation records for each State and report quarterly to the Committees on the progress made by the States in obligating prior year unobligated balances as well as the issuance of any administrative and construction grants to the States.

The managers are concerned about the problems with the State of Ohio's surface mining regulatory program. Periodic evaluations by the Office of Surface Mining have highlighted a number of recurring problems in Ohio's implementation and enforcement of the Federal Surface Mining Control and Reclamation Act. The Office of Surface Mining is directed to work with the Ohio Division of Reclamation to address these problems through a public forum. This directive should not be construed as a precursor to Federal takeover of the Ohio program. OSM and the State should work together to develop an explicit plan of action to correct the enforcement deficiencies. The managers strongly support the concept of State primacy and it is their hope that problems will be resolved that will maintain Ohio State primacy.

Bill language has been added under General Provisions, Department of the Interior, which amends the Surface Mining Control

and Reclamation Act of 1977 to allow qualified registered professional land surveyors to prepare and certify maps and plans where they are so authorized.

Amendment No. 48: Restores language proposed by the House and stricken by the Senate requiring State participation in a nationwide Applicant Violator System (AVS).

The Office of Surface Mining is presently studying a range of options with respect to the design of the Applicant Violator System (AVS). Definitions under examination for "ownership" and "control" vary from ten percent to fifty percent. At this time the managers take no position with respect to the final design of the AVS but have included bill language to permit the Office of Surface Mining to delay the pending rulemaking until March 31, 1987. This three month extention will permit the Committees on Appropriations to review this matter during the fiscal year 1988 hearings.

Amendment No. 49: Restores and clarifies language proposed by the House and stricken by the Senate.

Bill language has been included allowing the Secretary to deny up to 50 percent of a State reclamation grant, in accordance with the procedures set forth in section 521(b) of the Act, when the Secretary determines a State is inadequately enforcing its State program.

Amendment No. 50: Deletes language proposed by the House regarding the cost sharing matching fund.

The managers are concerned over internal discussions involving an AML cost sharing initiative and understands the Department will take no action in fiscal year 1987. Additionally, the managers expect the Office of Surface Mining to discuss any future initiatives affecting the AML State Grant Program with the appropriate legislative and Appropriations Committees.

Amendment No. 51: Deletes language proposed by the House regarding apportionment of the Secretary's discretionary fund.

BUREAU OF INDIAN AFFAIRS

Operation of Indian programs

Amendment No. 52: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment insert the following: *$911,182,000, of which $25,000,000 for firefighting and repayment to other appropriations from which funds were transferred under the authority of section 102 of the Department of the Interior and Related Agencies Appropriations Act, 1986, as contained in Public Law 99-190 shall remain available until expended, and*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Appropriates $911,182,000 for the operation of Indian programs instead of $892,328,000 as proposed by the House and $887,708,000 as proposed by the Senate. The net increase over the amount proposed by the Senate consists of increases of $1,200,000 for the Indian school equalization formula, $1,428,000 for the institutional-

ized handicapped program, $200,000 for declining enrollment adjustments, $1,000,000 for education contract support, $750,000 for Johnson-O'Malley educational assistance, $250,000 for special higher education grants, $750,000 for tribally-controlled community colleges, $2,000,000 for residential care for handicapped children, $200,000 for the Winnebago tribe retrocession costs, $550,000 for retrocession costs of the Colville tribe, $556,000 for self-determination grants and training and technical assistance for Alaska, $4,182,000 for contract support, $208,000 for the Inchelium ferry, $750,000 for reforestation, $9,000,000 for water resources, $980,000 for the United States-Canada Pacific Salmon Treaty, $120,000 for grizzly bear surveys, $166,000 for the Klamath conservation program, $347,000 for fish hatchery operations, $200,000 for fire suppression equipment, $5,000,000 for fire suppression costs, $800,000 for mineral inventories, $800,000 for litigation support, and $200,000 for program management; and decreases of $18,000 for school operations, $50,000 for central office operations for tribal government services, $100,000 for the social services quality control program, $85,000 for the special investigative unit, $100,000 for tribal accounting services, $50,000 for wildlife and parks central office operations, $7,500,000 for water resources under Indian rights protection, $160,000 for the consolidated training program, and $100,000 for ADP services.

The managers direct that $900,000 of the funds received from the Department of Education for education of handicapped children be directed toward the institutionalized handicapped program. The Bureau is requested to seek outside evaluation of their educational program for exceptional children. A Bureau-wide policy for determining which handicapped children are supported by the Bureau and which by the public schools shall be developed and provided to the Committees on Appropriations. The Bureau shall also ensure that all schools use the same criteria in classifying the exceptional children.

Of the amounts provided for the Indian Child Welfare Act (ICWA), $1,200,000 shall be used to provide fourth quarter funding to extend through the fiscal year those grants approved late in fiscal year 1986. The remainder of the funds are available for the regular competitive grant program. For fiscal year 1988 it is the intent of the managers to put the entire program back on the full fiscal year schedule. As in the past, the managers intend the ICWA grants to be made available for the highest priority projects, whether or or off reservation. Alaskan tribes and organizations are eligible to apply for ICWA grants and small tribe core management grants on the same basis as every other tribe. General assistance grants have been reduced $3,000,000 below the budget estimate. Should there be a shortfall, the Bureau should notify the Committees on Appropriations in a timely manner.

The $818,000 reduction in contrast support is the amount requested for pre-1985 contracts. The Bureau is directed to correct any errors and omissions in these contracts from within the amounts that were transferred to the programs in fiscal year 1985. The managers expect the Bureau to improve contract management and contract support payments by ensuring that fringe benefits are controlled and that direct program costs are not charged to indirect

costs. Contract support should not be "grandfathered" on an individual contract basis and only additional costs which can be shown to be a direct result of contracting should be allowed.

The managers note that as part of the effort to control contrast support costs, the Bureau has decided that only one-third of the support costs for pre-1985 contracts will be released at the beginning of fiscal year 1987. In order to provide for a transition period in the payment rates for contract support, the released funds should be budgeted for only one-third of the fiscal year. If current regulations are amended, changes in contract support payments should be phased in over the remainder of the fiscal year with full implementation delayed until the beginning of fiscal year 1988. If the regulations are not amended, the Bureau should release the full year's funding as early in the year as possible.

The managers agree that no Bureau funds shall be used to meet the matching requirement for the economic development grant program. The allowance for employment development includes $1,633,000 for the United Tribes Educational Technical Center.

Within the amount provided for wildlife and parks, $80,000 is available for the Creston, MT fisheries program. A total of $433,000 is provided for operation of the Inchelium ferry, $225,000 of which is derived by transfer from road maintenance.

The allowance for the United States-Canada Pacific Salmon Treaty is the total amount available for all direct and indirect costs of the program. The managers agree that funds provided for water investigations are available for tribal contracting and that within the allowance for water investigations are funds to continue the work at Flathead ($390,000), Zuni, and Yakima ($545,000). The manages intend that the funds provided for minerals investigations not be limited solely to efforts oriented toward precious metals exploration or to programs with expected immediate financial returns. Mining and minerals funds shall be available for tribal contracting.

The managers agree that attorney fees for the Navajo and Hopi tribes shall be reviewed on the same basis as all other requests and that such costs shall not be subject to any arbitrary ceiling.

Within the allowance for facilities management, an additional $189,000 is provided for the Hopi High School. The Bureau shall begin implementation of the program recommended by the Office of Construction Management to provide operation and maintenance funding to schools based on enrollment. The Department should continue to monitor the facilities program and report quarterly to the Committees on Appropriations. The Department and the Bureau are reminded that the Committees will decide when the facilities program is ready to be returned to Bureau control from the Office of Construction Management, based on consideration of the progress or accomplishment of the following:

significant improvement in the rate of FI&R obligations and procurements, indicating improved management capabilities and procedures;

acceleration of the reduction of total plant size;

completion of the comprehensive education plan, to be submitted to and approved by the Appropriations Committees;

a final plan for reorganization of facilities management, approved by the Appropriations Committees and under active implementation; and

a plan for an O&M allocation formula based on BIA student space planning requirements, approved by the Committees and implemented.

The additional reduction below the Senate allowance for the consolidated management training program represents the amount requested for salary costs for Bureau participants in the Departmental manager development program. The managers agree that $113,000 shall be used to train contracting officers and that the program should be managed by the Central office.

The managers have deferred action on requests to establish additional offices in Lafayette, LA and San Juan, NM. The Bureau is requested to submit to the Committees on Appropriations a detailed report of the costs of operating agency and field offices along with recommendations for consolidating existing operations and/or adding additional offices.

Amendment No. 53: Provides $55,668,000 for scholarships and Johnson-O'Malley educational assistance instead of $56,418,000 as proposed by the House and $54,918,000 as proposed by the Senate.

Amendment No. 54: Deletes earmarking of firefighting funds as proposed by the Senate.

Amendment No. 55: Provides $2,431,000 for the Navajo and Hopi program as proposed by the Senate instead of $2,931,000 as proposed by the House.

Amendment No. 56: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following: *: Provided further, That notwithstanding any provision of the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act, the amounts appropriated for fiscal year 1987 for the Bureau of Indian Affairs for the Institute of American Indian Arts shall be available for use under part A of that Act and—*

(1) that Act shall be implemented in a reasonable period of time and shall be fully implemented by no later than October 1, 1987,

(2) until the earlier of—

(A) October 1, 1987, or

(B) the appointment and confirmation of a majority of the members of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development under section 1505(a)(1)(A) of that Act,

the Secretary of the Interior shall have the authority conferred upon such members under that Act, and

(3) until the earlier of—

(A) October 1, 1987, or

(B) the appointment of a President of such Institute under section 1508 of that Act,

the Secretary of the Interior shall have the authority conferred upon the President of such Institute under this Act

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The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Bill language has been included to allow the use of funds provided for the Institute of American Indian Arts to be used to implement Part A of the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act. The language also gives the Secretary continued authority to operate the Institute until the governing body of the Institute is appointed.

Amendment No. 57: Deletes langauge proposed by the House regarding relocation of the Northern California agency office.

Amendment No. 58: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which prohibits payments which might otherwise be made pursuant to section 1128(b) of Public Law 95-561.

The managers have included bill language placing a one year moratorium on any payments that would otherwise be required under section 1128(b) of Public Law 95-561. The Bureau shall provide a report on this matter as outlined in the Senate report.

Amendment No. 59: Reported in technical disagreement. The managers of the part of the House will offer a motion to recede and concur in the amendment of the Senate which continues through fiscal year 1987 the formula used in fiscal year 1986 to distribute Johnson-O'Malley funds.

Bill language is included maintaining the current formula for payments under the Johnson-O'Malley Educational Assistance Act (JOM). If the JOM formula is to be changed, the managers direct that votes occur on a regular schedule and that provisions be made to phase in new formulas. The managers agree to review this matter for fiscal year 1988.

Amendment No. 60: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that certain requirements be met prior to initiation of action to close the Phoenix Indian School.

Construction

Amendment No. 61: Appropriates $76,101,000 for construction instead of $86,066,000 as proposed by the House and $67,951,000 as proposed by the Senate. The net increase over the amount proposed by the Senate consists of increases of $4,150,000 for facility improvement and repair and $5,000,000 for the Navajo Indian Irrigation Project; and a decreased of $1,000,000 for the Flathead irrigation project. No additional funds are provided for the Ft. Belknap irrigation project pending further review.

The managers agree that of the unobligated balances from irrigation funds made available in Public Law 98-8, $900,000 shall be reprogrammed to complete the Fort McDowell rehabilitation project and $390,000 shall be reprogrammed for the Papago, AZ high school. Together with the amount reprogrammed, unobligated balances from the Papago project may be used to construct six units of quarters and to improve the playing fields to the extent funds are available.

Within the allowance for buildings and utilities, $90,000 shall be available for planning the Taholah, WA high school. As the work at the Marty school is not of the highest priority, no additional funds are provided. The managers agree that there is no requirement for new construction at the Oglala Sioux school as the needs of the facility can be met through the facility improvement and repair program. Improvements to the Santa Rosa dormitory which are required to make space available for students from the Papago high school shall be made within available funds for facility improvement and repair. The Bureau shall review the need for emergency repairs at the Standing Rock, ND high school and make any required life/safety repairs.

The managers agree that the Bureau should ensure that tribal personnel costs are brought in line with the amount of funds available for housing construction and repairs. Of available prior year balances, $1,500,000 shall be reprogrammed to meet the Bureau's share of the Alaska 500 housing settlement. No fiscal year 1987 funds are made available for this purpose.

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided, That $1,225,000 of the funds appropriated for use by the Secretary to construct homes and related facilities for the Navajo and Hopi Indian Relocation Commission in lieu of construction by the Commission under section 15(d)(3) of the Act of December 22, 1974 (88 Stat. 1719: 25 U.S.C. 640d-14(d)(3)), may be used for counseling, water production and administration related to the relocation of Navajo families*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Bill language has been included by the managers which revises language in the fiscal year 1986 continuing resolution to permit funds for Navajo and Hopi relocations to be used for counseling ($500,000); water production ($600,000); and administration ($125,000).

Under existing law, the Commission is authorized to call upon any department or agency of the United States to assist in implementing the relocation plan. The managers have approved the involvement of the Bureau of Indian Affairs and the Indian Health Service. Although the managers are aware of and have not changed 25 USC 640d–11(i), authority has been given to the Bureau of Indian Affairs to utilize their funds to provide social service counseling and water production. The determination of eligibility for relocation benefits and the execution of contracts for relocation still remain the responsibility of the Commission. In addition, the Commission will continue with other aspects of new land development such as range improvements and electricity. The managers will hold each party accountable for their respective tasks and will expect each to report on the progress of their actions during their testimony on their fiscal year 1988 budget requests before the Committees. In addition, the managers expect quarterly reports on the meetings held between the Commission, Bureau of Indian Affairs

and Indian Health Service which are to include the timelines in which they expect to achieve their objectives.

Road construction

Amendment No. 63: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

Of the funds otherwise available to the State of Oklahoma from the Federal Highway Trust Fund, $10,000,000 shall be available for construction of the Honobia Indian Road: Provided, That the matching requirement is hereby waived with respect to funds spent on the Honobia Road: Provided further, That not

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Appropriates no funds for road construction instead of $2,500,000 as proposed by the House. Bill language has been included to earmark $10,000,000 of Federal Highway Trust Funds available to the State of Oklahoma for the construction of the Honobia Indian Road, and waiving the requirement for a 25% match with local funds.

White Earth trust fund

Amendment No. 64: Appropriates $6,600,000 for the White Earth Trust Fund, as proposed by the Senate.

Indian loan guaranty and insurance fund

Amendment No. 65: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $2,452,000 instead of $2,652,000 as proposed by the House and $2,485,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amount reflects an increase of $167,000 over the budget level of $2,485,000, to allow an additional amount of $10,000,000 in loans to be guaranteed; and an offsetting decrease of $200,000 for management and technical assistance, leaving a balance of $500,000. The managers do not intend for any additional funds to be obligated for contracts for model business development centers.

TERRITORIAL AND INTERNATIONAL AFFAIRS

Administration of territories

Amendment No. 66: Appropriates $78,224,000 instead of $78,874,000 as proposed by the House and $76,016,000 as proposed by the Senate. Included is $75,501,000 for grants and technical assistance and $2,723,000 for the Office of Territorial and International Affairs. The net decrease below the House consists of a decrease of $900,000 for the Guam mental health facility, and an increase of $250,000 for four FTE's in the Office of Territorial and International Affairs, for supervision of Compact programs in the

Freely Associated States, one each in Palau, the Marshall Islands, the Federated States of Micronesia, and in Washington. The managers intend to add four additional FTE's in the future, for a total of eight. The $2,000,000 provided for construction of the Guam mental health facility is the total of Federal funding that will be provided.

Amendment No. 67: Provides $75,501,000 to remain available until expended instead of $76,401,000 as proposed by the House and $73,543,000 as proposed by the Senate.

Amendment No. 68: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following: *and (3) an additional $250,000 for salaries and expenses of the Office of Territorial and International Affairs: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99-396, except that should the Secretary of the Interior believe that the performance standards of such agreement are not being met, operations funds may be withheld, but only by Act of Congress as required by Public Law 99-396*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Bill language is included which amends the language proposed by the Senate, to clarify that covenant grant funding to the Northern Mariana Islands shall be subject to the terms of the Agreement of the Special Representatives of Future United States Financial Assistance, but only as approved by and provided in Public Law 99-396.

Trust Territory of the Pacific Islands

Amendment No. 69: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $67,387,000 instead of $14,340,000 as proposed by the House and $66,987,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net decrease from the amount proposed by the Senate consists of increases of $900,000 for the Enewetak support program, $500,000 for the Bikini food program, and $1,000,000 for the Bikini Atoll Rehabilitation Committee program; and a decrease of $2,000,000 for construction of the Palau hospital. The managers agree that Palau should complete plans and initiate construction of the hospital with the funds provided in fiscal year 1986, and that the balance of the $10,000,000 total cost will be provided in a future appropriations act.

The managers have agreed to provide the regular grant funding to the Trust Territory governments, until the Compacts of Free Association become effective.

The managers direct the Department of the Interior and the Department of Energy to develop a plan for providing Federal funding for the necessary continuing activities related to the activities of the Lawrence Livermore Laboratory and the Bikini Atoll Rehabilitation Committee on Atoll after fiscal year 1987, in order that those activities may be completed as required, in order that those activities may be completed as required, and a final report and recommendation as to the preferred method for rehabilitation of the atoll be provided to the Congress. A report on the DOI-DOE plan for funding and completing these activities shall be submitted to the Committees on Appropriations by February 1, 1987. In addition, the Departments of Energy and the Interior are directed to provide the Committees with a report by December 1 of each year detailing how funds were spent during the previous fiscal year for the radiological health care program, and the agricultural and food programs for Enewetak and Bikini, as referenced in section 103(h) of Public Law 99-239. The report shall also specify the anticipated needs during the current fiscal year and the following fiscal year in order to provide for the radiological health care, and the planting, agricultural maintenance, and food programs for Enewetak and Bikini at a level not less than that which existed prior to the implementation of Public Law 99-239, and as anticipated in section 103(h) of Public Law 99-239. The managers believe that the United States has a moral obligation to fund these programs and intend to do so in the absence of compelling considerations to the contrary.

Amendment No. 70. Restores language proposed by the House and stricken by the Senate allowing funds from the Bikini Trust Fund to be used for settlement outside of the Marshall Islands. The managers expect the expenditure of any funds from the Trust Fund to continue to be subject to the same controls as now exist. The managers also intend that the costs of future relocations outside the Marshall Islands, or back to the Marshall Islands, chosen by the Bikinians will be paid from funds available in the Trust Fund.

Compact of free association

Amendment No. 71: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *no additional funds are provided, and*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 72: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *for the Enjebi Community Trust Fund, as authorized by Public Law 99-239, $2,250,000: Provided, That notwithstanding any other provision of law, the funds made available under this head in Public Law 99-349 shall remain available for obligation until expended: Provided further, That notwithstanding*

any other provision of law, for purposes of economic assistance as provided pursuant to the Compacts of Free association, the effective date of the Compact shall be October 1, 1986, except that the effective date for commencing the Kwajalein use and impact payments pursuant to sections 211(a)(1) and (213(a) of Public Law 99-239 shall be October 1, 1985: Provided further, That the $60,719,000 made available in fiscal year 1986 for the Compacts pursuant to Public Law 99-349 from the "Turst Territory of the Pacific Islands" appropriation shall remain available until expended for the Trust Territory of the Pacific Islands: Provided further, That upon the effective date determined by the President for implementing the Compacts, $60,719,000 of the amount made available for fiscal year 1987 under the "Trust Territory of the Pacific Islands" appropriation pursuant to this act shall be considered to have been made available and expended for the "Compact of Free Association" appropriation as of October 1, 1986

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

In accordance with the provisions of Public Law 99-239, the Compact of Free Association Act, Federal programs in the Federated States of Micronesia and the Republic of the Marshall Islands shall continue to be provided until the effective date of the Compact, which has not yet been determined. Even after the effective date, Federal funds will continue to be provided for those Federal programs and activities to be continued under the Compact, pursuant to Public Law 99-239.

Appropriates $2,250,000 instead of $36,170,000 as proposed by the House and $27,920,000 as proposed by the Senate. The amount provided is for the second installment of the Enjebi Community Trust Fund, making a total of $5,000,000. The managers remain committed to providing the balance of funding necessary to provide the full $10,000,000 authorized for the Fund in future appropriations acts.

Bill language has been included changing the effective date of the Compact of Free Association for the Federated States of Micronesia and the Republic of the Marshall Islands to October 1, 1986, and establishing that date as the effective date for the Compact for the Republic of Palau. This change does not affect the Kwajalein use and impact payments, for which the effective date remains October 1, 1985. The managers have very reluctantly agreed to this change, given the current uncertainty as to when the Compacts will become effective, and when the Compact funding will be released. The managers are committed to providing the second year of funding for the Compacts at the earliest possible opportunity once this uncertainty has been resolved.

Bill language has also been included providing that both the funds made available for the Compacts, and the funds to be offset against them as provided in Public Law 99-349, shall remain available until expended. Language is also included that will offset $60,719,000 of the Trust Territory funds provided in this Act against the Compact funds in fiscal year 1987 when the Compacts become effective.

With regard to the funding for Federal education progams included in section 105(i)(2) of the Compact, the managers believe this

language is sufficient to allow the freely associated states to continue to apply to the Department of Education, and to continue to be funded, up to the levels specified in section 105(i)(2), without any further action by the Congress.

Amendment No. 73: Deletes language proposed by the Senate extending the availability of funds.

DEPARTMENTAL OFFICES

Office of the Secretary

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *including $1,586,000 for the Immediate Office of the Secretary, $42,816,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Appropriates $24,816,000 instead of $42,482,000 as proposed by the House and $42,822,000 as proposed by the Senate.

The mangers have agreed to the following distribution of funds:

Secretary's Office	$1,586,000
Executive Secretary	374,000
Congressional and Legislative Affairs	1,046,000
Equal Opportunity	1,274,000
Public Affairs	784,000
Small and Disadvantaged Business Utilization	381,000
A/S Water and Science	625,000
A/S Lands and Minerals	840,000
A/S Fish and Wildlife and Parks	600,000
A/S Indian Affairs	600,000
A/S Territorial and International Affairs	508,000
A/S Policy, Budget and Administration	825,000
Environmental Project Review	1,404,000
Acquisition and property management	1,264,000
Office of Personnel	1,617,000
Administrative Services	1,032,000
Information resources management	4,450,000
Policy analysis	1,950,000
Office of Budget	1,404,000
Financial Management	954,000
Hearings and Appeals	5,200,000
Aircraft Services	1,658,000
Central Services	12,440,000
Total	42,816,000

Bill language is included earmarking $1,586,000 for the Immediate Office of the Secretary.

No funds are recommended for a cooperative agreement with the Benjamin Franklin Institute.

Office of the Solicitor

Amendment No. 75: Appropriates $20,880,000 for salaries and expenses instead of $21,255,000 as proposed by the House and $19,385,000 as proposed by the Senate. The net decrease below the House position includes reductions of $225,000 for travel, $50,000 for subscriptions and legal books, $100,000 for overtime/promo-

tions; $50,000 as a general reduction and an increase of $50,000 for Statue of Liberty support.

Amendment No. 76: Deletes language proposed by the House earmarking funds for Office of Surface Mining Reclamation and Enforcement activities.

The managers are in agreement that work associated with the Office of Surface Mining is of highest priority.

Office of Inspector General

Amendment No. 77: Appropriates $16,300,000 as proposed by the House instead of $15,424,000 as proposed by the Senate.

DEPARTMENTWIDE PROVISIONS

Amendment No. 78: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which adds a requirement that funds used pursuant to this authority must be replenished by supplemental appropriations.

Amendment No. 79: Restores the provision proposed by the House and stricken by the Senate prohibiting leasing activities on certain Outer Continental Shelf areas in the North Atlantic.

Amendment No. 80: Restores section number 108 as proposed by the House instead of 107 as proposed by the Senate.

Amendment No. 81: Restores section number 109 as proposed by the House instead of 108 as proposed by the Senate.

Amendment No. 82: Restores section number 110 as proposed by the House instead of 109 as proposed by the Senate.

Amendment No. 83: Restores the provision proposed by the House and stricken by the Senate which provides the Secretary of the Interior the authority to adopt recommendations proposed by the negotiating team on California offshore leasing as authorized in section 111 of Public Law 99-190, as well as delaying the publication of a call for information and nomination for Sale 95 until March 1, 1987 and delaying the final notice of sale for Sale 91 until January 1, 1989.

Amendment No. 84: Restores section number 112 as proposed by the House instead of 110 as proposed by the Senate.

Amendment No. 85: Restores the provision proposed by the House and stricken by the Senate designating the Laurel Highlands National Recreational Trail as part of the Potomac Heritage Trail.

Amendment No. 86: Reported in disagreement.

The House bill contained a provision for purchasing oil rigs for the Outer Continental Shelf containing specific percentages of American materials and labor. The Senate passed bill contained no such provision. This provision is in disagreement.

Amendment No. 87: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 114. (a) In order to provide for needed facilities for visitors to Fort Sumter National Monument, including a tour boat dock and associated facilities, and an interpretive and museum facility in cooperation with the State of South Carolina and the city of Charleston, the Secretary of the Interior (in this section referred to as the "Secretary"), is authorized to acquire by purchase with donated or appropriated funds, donation, or exchange, not to exceed 8.91 acres of lands, including submerged lands, and interests in lands, within the area generally depicted on the map entitled "Dockside II, Proposed Site, Tourboat Facility", which map shall be on file and available for public inspection in the office of the National Park Service. When acquired, lands, including submerged lands and interests in lands, depicted on such map shall be administered by the Secretary as a part of Fort Sumter National Monument, subject to the laws and regulations applicable to such monument, and subject to the provisions of this section.

(b)(1) With respect to the lands, including submerged lands, and interests in lands acquired pursuant to section (a), the Secretary is authorized—

(A) to convey, notwithstanding the provisions of section 5 of Public Law 90-400 (82 Stat. 356) and subject to the provisions of subsection (2), a leasehold interest in not to exceed one and a half acres to the State of South Carolina or the city of Charleston or either of them for development by either of them or their agents or lessees of a marine museum and associated administrative facilities;

(B) to grant covenants or easements for ingress and egress to the State of South Carolina, the city of Charleston, and to other parties as the Secretary may deem necessary to facilitate public use; and

(C) to enter into cooperative agreements with the State of South Carolina, the city of Charleston, and other parties as the Secretary may deem necessary, pursuant to which construction, maintenance, and use of buildings, utilities, parking facilities, and other improvements may be shared among the parties to the agreement.

(2) Any conveyance made pursuant to subsection (b)(1)(A) and any renewal thereof may be for a period of up to 50 years, and may include the option to purchase the property in fee by the lessee within the first 10 years, upon payment by the lessee of the cost of the property to the United States plus interest based on the average yield of United States Treasury notes with maturities of one year. The Secretary may convey title to the property in fee in the event such option to purchase is exercised, subject to the condition that the property is used for a public marine museum and associated administrative facilities. Notwithstanding any other provision of law, any leasehold interest conveyed pursuant to subsection (b)(1)(A) shall be conveyed without monetary consideration. The proceeds from any conveyance of property in fee pursuant to subsection (b)(1)(A) shall be deposited in the Land and Water Conservation Fund in the Treasury of the United States.

(c) Section 117 of Public Law 96-199 (94 Stat. 71) is hereby repealed.

(d)(1) Notwithstanding any other provision of law, sums heretofore appropriated but not, on the date of enactment of this joint resolution, obligated for construction of a tourbout facility at the Broad Street site, and for the acquisition and construction of the Fleet landing site for Fort Sumter National Monument, which was authorized by section 117 of Public Law 96-199 (94 Stat. 71) are hereby made available for obligation for the acquisition of the lands including submerged lands, and interests in lands identified in section (a) and for construction of necessary facilities thereon, and to the extent that sums heretofore, appropriated for land acquisition of the Fleet landing site are not sufficient to cover the cost of acquisition of the properties identifed in section (a), sums heretofore appropriated for construction of facilities at the Broad Street site and the Fleet landing site may be obligated for the purposes of acquisition as authorized in section (a).

(2) In addition to the sums made available under subsection (d)(1), there is authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

(e) The Secretary of the Interior shall transfer administrative jurisdiction over the Federal property, consisting of approximately 1 acre, known as the Broad Street site, to the Secretary of the Department in which the Coast Guard is operating, who shall transfer to the Secretary of the Interior, subject to such reservations, terms, and conditions as may be necessary for Coast Guard purposes, administrative jurisdiction over the Federal property, consisting of approximately 1 acre located near Fort Moultrie on Sullivan's Island for purposes of a maintenance workshop, storage, and seasonal housing in connection with the administration and protection of the Fort Sumter National Monument.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment deletes House language prohibiting the submission of a settlement to the court in Westlands versus the United States and includes language proposed by the Senate in H.J. Res. 738 authorizing the acquisition and development of a mainland tour boat facility for Fort Sumter National Monument, South Carolina.

Amendment No. 88: Restores House language stricken by the Senate designating the Visitor Center associated with the headquarters of the Illinois and Michigan Canal National Heritage Corridor as the "George M. O'Brien Visitor Center" and changes the section number to 115.

Amendment No. 89: Restores House language stricken by the Senate providing for an exchange of Land and Water Conservation Fund assisted land in Berkeley, Illinois, and changes the section number to 116.

Amendment No. 90: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *SEC. 117.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Language is included, as proposed by the Senate, which prevents final regulations concerning paleontological research on Federal lands until the Secretary has received a report from the National Academy of Sciences on such regulations and forwarded to Congress a comparison of that report and the Department's proposed regulations.

Amendment No. 91: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *SEC. 118.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Language proposed by the Senate amending the Act of August 9, 1955, to allow the Tulalip Tribe to enter into long-term leases if the lease is executed under tribal regulations approved by the Secretary, is included.

Amendment No. 92: Deletes language proposed by the Senate applying the exception in Public Law 87-279 to the Flathead Indian Irrigation Project.

Amendment No. 93: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 119. (1) The primary term of any geothermal lease in effect as of July 27, 1984, issued pursuant to the Geothermal Act of 1970 (Public Law 91-581, 84 Stat. 1566, 30 U.S.C. 1001-1025) is hereby extended to December 31, 1988, if the Secretary of the Interior finds that—

(a) a bona fide sale of the geothermal resource, from a well capable of production, for delivery to our utilization by a facility or facilities, has been completed (1) due to administrative delays by government entities, beyond the control of the lessee, or (2) such sale would be uneconomic;

(b) substantial investment in the development of or for the benefit of the lease has been made; and

(c) the lease would otherwise expire prior to December 31, 1988.

(2)(a) The Secretary of the Interior (hereinafter in this section referred to as "the Secretary" shall publish for public comment in the Federal Register within 120 days after the date of enactment of this section a proposed list of significant thermal features within the following units of the National Park System:

Mount Rainier National Park;
Lassen Volcanic National Park;
Yellowstone National Park;
Bering Land Bridge National Preserve;
Gates of the Arctic National Park and Preserve;
Yukon-Charley Rivers National Preserve;
Katmai National Park;
Aniakchak National Monument and Preserve;

Wrangell-St. Elias National Park and Preserve;
Glacier Bay National Park and Preserve;
Denali National Park and Preserve;
Lake Clark National Park and Preserve;
Hot Springs National Park;
Sequoia National Park;
Hawaii Volcanoes National Park;
Lake Mead National Recreation Area;
Big Bend National Park;
Olympic National Park;
Grand Teton National Park;
John D. Rockefeller, Jr. Memorial Parkway;
Haleakala National Park; and
Crater Lake National Park.

The Secretary shall include with such list the basis for his determination with respect to each thermal feature on the list. Based on public comment on such list, The Secretary is authorized to make additions to or deletions from the list. Not later than the 60th day from the date on which the proposed list was published in the Federal Register, the Secretary shall transmit the list to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives together with copies of all public comments which he has received and indicating any additions to or deletions from the list with a statement of the reasons therefor and the basis for inclusion of each thermal feature on the list. The Secretary shall consider the following criteria in determining the significance of thermal features:

(1) size, extent, and uniqueness;

(2) scientific and geologic significance;

(3) the extent to which such features remain in a natural, undisturbed condition; and

(4) significance of thermal features to the authorized purposes for which the National Park System unit was created.

The Secretary shall not issue any geothermal lease pursuant to the Geothermal Steam Act of 1970 (Public Law 91-581, 84 Stat. 1566), as amended, until such time as the Secretary has transmitted the list to the Committees of Congress as provided in this section.

(b) The Secretary shall maintain a monitoring program for those significant thermal features listed pursuant to subsection (a) of this section.

(c) Upon receipt of an application for a geothermal lease the Secretary shall determine on the basis of scientific evidence if exploration, development, or utilization of the lands subject to the geothermal lease application is reasonably likely to result in a significant adverse effect on a significant thermal feature listed pursuant to subsection (a) of this section. Such determination shall be subject to notice and public comment. If the Secretary determines on the basis of scientific evidence that the exploration, development, or utilization of the lands subject to the geothermal lease application is reasonably likely to result in a significant adverse effect on a significant thermal feature listed pursuant to subsection (a) of this section, the Secretary shall not issue such geothermal lease. In addition, the Secretary shall withdraw from leasing under the Geothermal Steam Act of 1970, as amended, those lands, or portion thereof, subject to

the application for geothermal lease, the exploration, development, or utilization of which is reasonably likely to result, based on the Secretary's determination, in a significant adverse effect on a significant thermal feature listed pursuant to subsection (a) of this section.

(d) With respect to all geothermal leases issued after the date of enactment of this section the Secretary shall include stipulations in leases necessary to protect significant thermal features listed pursuant to subsection (a) of this section where a determination is made based on scientific evidence that the exploration, development, or utilization of the lands subject to the lease is reasonably likely to adversely affect such significant features. Such stipulations shall include, but are not limited to:

(1) requiring the lessee to reinject geothermal fluids into the rock formations from which they originate;

(2) requiring the lessee to report annually to the Secretary on its activities;

(3) requiring the lessee to continuously monitor geothermal production and injection wells; and

(4) requiring the lessee to suspend activity, temporarily or permanently, on the lease if the Secretary determines that ongoing exploration, development, or utilization activities are having a significant adverse effect on significant thermal features listed pursuant to subsection (a) of this section until such time as the significant adverse effect is eliminated.

(e) The Secretary of Agriculture shall consider the effects on significant thermal features of those units of the National Park System identified in subsection (a) of this section in determining whether to consent to leasing under the Geothermal Steam Act of 1970, as amended, on national forest or other lands administered by the Department of Agriculture available for leasing under the Geothermal Steam Act of 1970, as amended, including public, withdrawn, and acquired lands.

(f) Nothing contained in this section shall affect the ban on leasing under the Geothermal Steam Act of 1970, as amended, with respect to the Island Park Known Geothermal Resources Area, as provided for in Public Law 98-473 (98 Stat. 1837) and Public Law 99-190 (99 Stat. 1267).

(g) Except as provided herein, nothing contained in this section shall affect or modify the authorities or responsibilities of the Secretary under the Geothermal Steam Act of 1970, as amended, or any other provision of law.

(h) The provisions of this section shall remain in effect until Congress determines otherwise.

SEC. 120. (a) Section 1102(a) of the National Parks and Recreation Act of 1978 (Public Law 95-625) is amended by inserting the following after the second sentence: "In addition, the Secretary may acquire by any of the foregoing methods not to exceed ten acres outside the boundaries of the national river for an administrative headquarters site, and funds appropriated for land acquisition shall be available for the acquisition of the administrative headquarters site.".

(b) Section 1112 of Public Law 95-625 is amended by striking "$500,000" and inserting "$3,000,000".

SEC. 121. (1) The Women in Military Service for America Memorial Foundation is authorized to establish a memorial on Federal land in the District of Columbia and its environs to honor women who have served in the Armed Forces of the United States. Such memorial shall be established in accordance with the provisions of H.R. 4378, as approved by the House of Representatives on September 29, 1986.

(2) The organization or organizations approved by the Secretary shall establish the memorial with non-Federal funds.

SEC. 122. (1) The Black Revolutionary War Patriots Foundation is authorized to establish a memorial on Federal land in the District of Columbia and its environs to honor the estimated five thousand courageous slaves and free black persons who served as soldiers and sailors or provided civilian assistance during the American Revolution and to honor the countless black men, women, and children who ran away from slavery or filed petitions with courts and legislatures seeking their freedom. Such memorial shall be established in accordance with the provisions of H.R. 4378, as approved by the House of Representatives on September 29, 1986.

(2) The Black Revolutionary War Patriots Foundation shall establish the memorial with non-Federal funds.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment deletes language proposed by the Senate and included under amendment No. 88 concerning naming a visitor center, and includes language proposed by the Senate in H.J. Res. 738 as follows:

1. Section 119. (1) extends the term of geothermal leases in existence as of July 27, 1984 through December 31, 1988.

2. Section 119. (2) directs the Secretary of the Interior to establish a list of significant thermal features in several National Parks and establishes a program for determining and protecting those features.

3. Section 120 authorizes acquisition of certain lands outside the boundaries of the New River Gorge National River and increases the authorization limit from $500,000 to $3,000,000.

4. Section 121 authorizes the establishment of a memorial to Women in Military Service in accordance with the provisions of H.R. 4378 as passed the Senate on September 10, 1986 (Senate Report 99-421).

5. Section 122 authorizes the establishment of a memorial to Black Revolutionary War Patriots in accordance with the provisions of H.R. 4378 as passed the House on September 29, 1986.

Amendment No. 94: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *SEC. 123.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment will allow land surveyors to prepare and certify maps for surface mining permit applications.

Amendment No. 95: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *SEC. 124.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides for a 180 day delay in implementing an out-of-court settlement with regard to various oil shale claims in Colorado provided that all parties to the case, including the courts involved, agree and directs the Secretary of the Interior to seek such agreement.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

Forest Service

Forest research

Amendment No. 96: Appropriates $128,882,000 for forest research instead of $129,183,000 as proposed by the House and $123,282,000 as proposed by the Senate. The managers agree that the changes from the budget request of $111,481,000, by program are as follows:

Fire and atmospheric sciences:

+$200,000—atmospheric deposition research at Fort Collins, CO.

+$300,000—fire research at Riverside, CA and Missoula, MT.

Forest insect and disease research:

+$325,000—eastern hardwoods research cooperative at Broomall, PA.

+$300,000—western conifers research cooperative at Corvallis, OR (to be managed by the Environmental Protection Agency).

+$697,000—to be distributed to the highest priority insect and disease research projects.

Forest inventory and analysis:

+$1,200,000—atmospheric deposition research at Research Triangle Park, NC.

+$900,000—restore forest inventory cycle to previous level.

+$1,000,000—western ecosystems acid raid monitoring pursuant to an agreement with the Idaho National Engineering Laboratory.

Renewable resources economics research:

−$86,000—maintain at 1986 level.

Trees and timber management:

+$325,000—eastern hardwoods research cooperative at Broomall, PA.

+$300,000—western conifers research cooperative at Corvallis, OR.

+$500,000—Fairbanks, AK.

+$300,000—genetic engineering research at Berkeley, CA.

+$288,000—Parsons, WV: $188,000 for rehabilitation and $100,000 for research. Additionally, the $196,000 proposed for transfer to Morgantown shall be returned to Parsons.

+$200,000—Boise, ID.

+$50,000—Honolulu, HI.

Watershed and minerals management research:

+$600,000—atmospheric deposition research at Oxford, MS, Grand Rapids, MN, Riverside, CA, and Fort Collins, CO.

+$152,000—University Park, PA.

+$125,000—soil stabilization research at Corvallis, OR.

+$375,000—watershed research at Arcata, CA, Durham, NH, and Parsons, WV. Additionally, the $349,000 proposed for transfer to Morgantown shall be returned to Parsons.

Wildlife, range and fish habitat research:

+$1,500,000—spotted owl research at Fresno and Arcata, CA and Olympia, WA, to be matched by $500,000 in private funds.

+$200,000—endangered species research at Missoula, MT.

+$200,000—trout stream productivity research at Blacksburg, VA.

+$100,000—semiarid habitat research at Albuquerque, NM.

+$100,000—moose habitat research at Fairbanks, AK.

+$100,000—tropical wildlife research at Rio Piedras, PR.

Forest recreation research:

+$150,000—wilderness management research at Missoula, MT.

+$150,000—urban/wildland research at Riverside, CA.

Forest products and harvesting research:

+$450,000—Forest Products Laboratory, Madison, WI.

+$100,000—for whitewood shake and shingle preservative treatment research and market development, to be conducted on a fifty-fifty match basis with funds to be provided by private industry.

+$300,000—research on products from low quality logs at Blacksburg, VA.

Competitive grants:

+$6,000,000—to be divided equally between basic improved harvesting, processing and utilization research; and basic forest biology, including biotechnology.

The managers note that within the fire and atmospheric sciences program, $206,000 of research that was formerly conducted at Fairbanks, AK will be conducted at Anchorage, AK in fiscal year 1987. The Forest Service is directed to maintain the fire research work unit in East Lansing in fiscal year 1987.

Included in the appropriation is $1,000,000 to be provided for the Idaho National Engineering Laboratory's intermountain ecological and environmental study, pursuant to an agreement to be developed between INEL and the Forest Service. This agreement will provide that all activities will be compatible with the existing National Acid Precipitation Assessment Program (NAPAP) and the Mountain Cloud Chemistry Program (MCCP), including measurement and monitoring protocols. The increase will enable the Forest Service to accelerate research on effects of atmospheric deposition on alpine/sub-alpine ecosystems.

Amendment No. 97: Earmarks $6,000,000 for competitive grants instead of $3,400,000 as proposed by the House and $6,500,000 as proposed by the Senate.

State and private forestry

Amendment No. 98: Appropriates $58,946,000 instead of $57,671,000 as proposed by the House and $61,771,000 as proposed by the Senate. The net increase over the amount proposed by the House consists of: an increase of $1,600,000 for cooperative lands pest suppression; and decreases of $200,000 for the Boundary Waters Canoe Area grant, $50,000 to pest management special projects, Federal lands, and $75,000 to urban forestry.

The managers agree that within the amount provided for cooperative lands pest suppression, the Forest Service is to provide $1,500,000 for spruce budworm in Yakima, WA and $211,000 for budworm control in New Mexico, if these projects are of high enough priority.

Within the funds provided for wood utilization, $100,000 is to be used for a study on the proposed marketing initiative, for which no funds are provided. The study, which should be submitted to the Appropriations Committees by March 1, 1987, should include at a minimum the following:

a list of projects suggested by the Forest Service;

the criteria to be considered in selecting projects;

the amounts to be provided for technical assistance and financial assistance through the States, and how these amounts are to be determined;

the rationale for providing Federal funding for these activities;

the role of private industry, the States and other non-Federal entities in such a program; and

a proposal on cost-share rates, and the basis therefor.

The managers agree that there is no commitment to Federal funding for this program, but it will be reviewed in conjunction with the 1988 hearings.

Amendment No. 99: Earmarks $2,800,000 for the Boundary Waters Canoe area grant, as proposed by the Senate instead of $3,000,000 as proposed by the House.

National Forest System

Amendment No. 100: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $1,158,294,000 for the National forest system instead of $996,687,000 as proposed by the House and $1,137,894,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The change from the amount proposed by the Senate includes: increases of $1,700,000 for land line location, $24,000,000 for fighting forest fires, $2,635,000 for trail maintenance, $7,152,000 for recreation management, $2,000,000 for wilderness management, $1,000,000 for spotted owl management, $500,000 for threatened and endangered species, $1,900,000 for soil and water improve-

ments and $1,300,000 for soil and water inventories; and decreases of $2,266,000 to fire protection, $340,000 to cooperative law enforcement, $2,500,000 to road maintenance, $8,392,000 to timber sales preparation, $4,050,000 to reforestation, $2,202,000 to timber stand improvement, $900,000 to habitat improvement, and $1,137,000 to grazing.

The managers agree the additional funds for land line location are to be used for multiple resource management purposes.

The managers are concerned about the costs per acre of reforestation and timber stand improvement, and request the Forest Service to provide a report by March 1, 1987, as to specific steps to be taken to better control costs, and a methology to be used to determine the economic feasibility of reforestation and TSI projects before they are undertaken.

Within the increase provided for noxious weed control, $80,000 is for the Boise National Forest.

Within the funds provided for soil and water improvements, $250,000 is for a 50 percent cost shared acid neutralization research and demonstration project in the Cranberry River area of the Monongahela NF, WV. An additional $250,000 is for a project in the Blackwood Creek watershed of the Lake Tahoe Basin Management Unit.

In the wildlife and fish habitat management program, there is included an increase of $425,000 for anadromous fish habitat improvements in the Northeast. Included in the soil, water and air program is $280,000 for Bull Run watershed monitoring.

The managers agree that the funds available for spotted owl inventory activities shall be used in various types of habitat, including old growth and non-old growth areas, and in various land use classification areas, including wild and scenic areas, research natural areas, and designated wilderness areas. The managers are concerned that if the Forest Service focuses its inventory on old growth areas and commercial timber lands only, it might miss spotted owl populations in other land use areas, including those already protected by statute or regulation.

The managers are concerned that the Service has developed plans for reorganizing the national forests in Arizona that will result in disruption and economic hardship in small communities. Therefore, the managers direct the Service not to implement the plans without first satisfying Congressional concerns.

The allowance provides for a 1987 timber sales program of 11.2 billion board feet (BBF). This approximates historic levels and is recommended on the basis of continuing high harvest levels and softwood timber demand. The allowance also includes funds to maintain timber support activities and to begin the advanced sales preparation work necessary to maintain the option of continuing historic sales levels after the supply of reoffer volume has been exhausted. The managers agree that the costs of maintaining this option will need to be examined in detail as part of the consideration of the FY 1988 budget for the Forest Service, and expect the Forest Service to have detailed, supportable bases for their estimates available for review at that time. The managers also expect the Forest Service to be prepared to discuss in detail how future years' timber sales levels will be impacted by the land manage-

ment plans which are now in the final stages of review. The Forest Service is encouraged to offer up to 7.0 BBF of new green sales in fiscal year 1987, and to maintain the sales level in Region 6 at 5.2 BBF gross, 4.5 BBF net merchantable sawtimber, and in Regions 1 and 4 at about 1.0 BBF and 0.4 BBF, respectively. The sales program is intended to be a balanced one across the country.

The managers have agreed to provide $1,000,000 for 1987 costs related to the Helistat. Additional costs required in the future should be submitted as a budget request.

Amendment No. 101: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which provides $263,323,000 to remain available until expended instead of $144,767,000 as proposed by the House and $245,780,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 102: Adds the word "firefighting" as proposed by the Senate.

Amendment No. 103: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

The Forest Service is to continue to complete as expeditiously as possible development of land and resource management plans to meet the requirements of the National Forest Management Act of 1976 (NFMA). Notwithstanding the date in section 6(c) of the NFMA (16 U.S.C. 1600), the Forest Service may continue the management of units of the National Forest System under existing land and resource management plans pending the completion of plans developed in accordance with the Act. Nothing shall limit judicial review of particular activities on management units of the National Forest System: Provided, however, That there shall be no challenges to any existing plan on the sole basis that the plan in its entirety is outdated: Provided further, That any and all particular activities to be carried out under existing plans may nevertheless be challenged.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers understand that the current land management planning process is proceeding on a forest-by-forest basis. The managers have agreed to includce bill language intended to prevent the existing land and resource management plans from being enjoined in their entirety, solely on the basis that they are outdated, pending the completion of the new plans, and have also agreed to restate the direction provided in Section 6(c) of the NFMA that the Forest Service may continue the management of units of the National Forest System under existing plans pending the completion of new plans.

Under the provisions of Section 6(c), the Forest Service is encouraged to begin to incorporate new standards and guidelines into existing plans as soon as practicable. The managers are concerned, however, that in carrying out this direction, the Forest Service

must not contravene the public participation requirements of NFMA. Section 6(d) required full public participation in the development, review, and revision of existing land management plans. The managers therefore direct The Forest Service to provide for public review of new suitability standards, yield tables, minimum management requirements and other standards and guidelines prior to their incorporation into existing plans, in accordance with the provisions of Section 6(d) of NFMA.

Construction

Amendment No. 104: Appropriates $261,436,000 for construction instead of $192,409,000 as proposed by the House and $268,130,000 as proposed by the Senate. The changes from the amounts proposed by the Senate consist of: increases of $9,856,000 for facilities and $570,000 for trail construction; and a decrease of $17,120,000 to road construction.

Within the amount provided for recreation facilities is $587,000 for Clear Creek, AL, $568,000 for Mount St. Helens NM, WA, and $150,000 for Mount Rogers NRA, VA. A slippage adjustment of $300,000 is made against budgeted facility construction projects. The managers have provided $10,000,000 for high priority recreation facility rehabilitation projects, with the first emphasis to be on health and safety-related projects.

The managers agree that a total of $1,617,000 is provided for flood repair in the Monongahela NF, WV, consisting of $1,021,000 for facilities, $431,000 for roads, and $165,000 for trails.

The allowance for road construction also includes $8,473,000 for Mount St. Helens, WA, $5,114,000 for Clear Creek, AL, and $100,000 for design and survey in the Hells Canyon NRA.

The managers agree that within available administrative facilities funds, $100,000 is provided for design of the Big Sur multi-agency work center. There is also $1,570,000 for Mount St. Helens administrative facilities. There is no objection to shifting $538,000 budgeted for the Vernon work center on the Kisatchie NF to other high priority projects on the Desoto NF, MS; the Francis Marion and Sumter NF, SC; the Chattahoochie and Oconee NF, GA; the Holly Springs NF, MS; and the Homochitto NF, MS.

The allowance provides $165,000,000 for engineering, design and construction costs for forest roads needed to support the fiscal year 1987 sales program of 11.2 BBF, and $15,000,000 for advanced engineering and design activities required to enable the Forest Service to be able to maintain the option of continuing historic sales levels and related road construction programs. The managers will review the Forest Service road construction program again next year and determine the progress the Forest Service has made in regaining the option of maintaining sales levels, especially in Region 6, after the supply of reoffer volume has been exhausted, and what impact other factors may have on the sales levels, and resulting need for road construction. It is the intent of the managers that the projects funded be undertaken pursuant to all applicable forest management laws and regulations, and that the Forest Service should not unduly accelerate its access into released roadless areas.

The managers are concerned about allegations that the Forest Service cannot specify where specific road segments will be con-

structed. The managers are also concerned that funds provided for Forest Service roads be used in a manner consistent with multiple use resource guidelines. Therefore, the managers direct that each Forest Supervisor make available for public review the anticipated location, mileage, cost and use for all local, arterial and collector roads required in an annual timber sales program as determined by a forest management plan. While such forest road data may vary with the dynamics of the timber sales program, such information shall be published annually and be updated every six months.

The managers expect the Forest Service to maintain the funding breakdown of the road constuction budget submitted in the budget request, a modified by Congressional action. If funds are to be shifted between categories within the road construction line item, the Forest Service should notify the Appropriations Committees in advance of the proposed changes, and the reasons for them.

Amendment No. 105: Provides $25,332,000 for construction of buildings and other facilities instead of $36,736,000 as proposed by the House and $15,476,000 as proposed by the Senate.

Amendment No. 106: Provides $236,104,000 for roads and trails instead of $155,673,000 as proposed by the House and $252,654,000 as proposed by the Senate.

Amendment No. 107: Deletes language proposed by the Senate earmarking funds for a number of projects.

Amendment No. 108: Deletes language proposed by the Senate limiting obligations for construction of timber purchaser roads.

Amendment No. 109: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following: *: Provided further, That the Forest Service shall achieve a 5 per centum reduction in the average cost per timber road mile as compared to the adjusted fiscal year 1985 average cost by a combination of the following two actions: (1) the application of road construction standards used to construct or reconstruct Forest Service timber roads, purchaser credit roads, or purchaser elect roads, and (2) reducing the direct personnel cost of designing and constructing timber roads to these standards: Provided further, That the Forest Service shall take administrative cost saving actions, including reductions in indirect personnel, overhead charges, and productivity improvements, in fiscal year 1987 in a manner so as to achieve a 5 per centum reduction in the average cost per timber road mile as compared to the adjusted fiscal year 1985 average cost: Provided further, That such actions shall be taken so as to achieve these 5 per centum reductions in each Forest Service region*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers continue to be concerned about allegations that the Forest Service is building roads to a standard greater than is necessary for timber use or multiple use management. Therefore, bill language is included, as proposed by the Senate, requiring further reductions in the unit costs of timber roads. The managers expect a complete report at the end of the fiscal year on how these reductions were achieved, and also expect the Forest Service to

notify the Committees immediately during the year if this effort to reduce costs will result in potential environmental damage.

Amendment No. 110: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates certain receipts for construction at the Mt. Elden Work Center, Flagstaff, AZ.

Bill language has been included appropriating $300,000 for the construction of administrative improvements at the Mount Elden Work Center in Flagstaff, AZ. This is in addition to other projects identified in the statement of the managers and is in addition to the $261,436,000 also appropriated for construction.

Amendment No. 111: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates Highway Trust Funds for road construction at Mount St. Helens National Volcano Monument, WA.

Bill language is included correcting language carried in the fiscal year 1986 Continuing Resolution regarding Highway Trust Fund money for Mount St. Helens road construction.

Land acquisition

Amendment No. 112: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $49,236,000 instead of $39,936,000 as proposed by the House and $36,906,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The following table shows the allocation agreed to by the managers:

Acquisition management	$3,206,000
Appalachian Trail	1,500,000
AuSable-Manistee Rivers, MI	6,000,000
Columbia River Gorge, OR and WA	4,650,000
Jefferson NF, VA	280,000
Lake Tahoe, CA and NV	7,000,000
Mono Lake/Inyo NF, CA (wilderness)	400,000
Monongahela NF/Shavers Fork, WV	12,800,000
Mount Rogers NRA, VA	1,000,000
Ottawa NF, MI	3,600,000
Pisgah NF, NC	900,000
Wasatch NF/Little Cottonwood Canyon, UT	2,500,000
Wayne NF, OH	2,000,000
Endangered Species Habitat	2,000,000
Inholdings and recreation composites	5,000,000
Total	52,236,000

Included in the inholding and recreation composite allowance are funds to acquire the Reed Ranch in the Payette NF.

Administrative provisions, Forest Service

Amendment No. 113: Restores language stricken by the Senate requiring compliance with section 313(a) of the Federal Water Pollution Control Act.

Amendment No. 114: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows reimbursement for licenses and certification fees.

Amendment No. 115: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

Notwithstanding any other provision of law, the Secretary of Agriculture is hereafter authorized to use from any receipts from the sale of timber a sum equal to the cost of construction of roads under the purchaser election program as described and authorized in section 14(i) of the National Forest Management Act of 1976.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides that purchaser elect funding will be available for actual rather than estimated road construction costs. This does not change the criteria for award of a contract to the lowest acceptable bidder.

Amendment No. 116: Provides that a minimum of $26,000,000 shall be available from the Timber Salvage Sales Fund as proposed by the Senate instead of $26,781,000 as proposed by the House.

Amendment No. 117: Earmarks $1,000,000 for the Youth Conservation Corps as proposed by the House.

Amendment No. 118: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

The Forest Service is authorized and directed to negotiate, within 90 days after the enactment of this Act, settlement of claims against the United States resulting from a forest fire in the Black Hills National Forest: Provided, That notwithstanding any other provision of law, the Secretary of the Treasury is authorized and directed to pay the amount of the settlement from the Claims, Judgments, and Relief Act Fund (P.L. 95-26).

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Bill language has been included directing the Forest Service to negotiate claims resulting from the Black Hills National Forest forest fire, and providing that the negotiated amounts shall be paid from the Claims, Judgments and Relief Act Fund (P.L. 95-26) in the Department of the Treasury.

Amendment No. 119: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which modifies the boundary of the Gifford Pinchot National Forest.

Amendment No. 120: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum named in said amendment insert: *$500,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Bill language has been included limiting costs for the Resources Planning Act Washington staff to $500,000 for the costs of developing the 1990 RPA Program called for by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended.

The Congress has only recently received the 1985 Program and the managers are concerned about its timeliness and its content. In addition, the relationship between the range of outputs called for in the recommended program and the current generation of land management plans is not clear.

Therefore, the Committee directs that the Forest Service provide the following information to the appropriate Congressional Committees by March 1, 1987: (1) a detailed breakdown of Forest Service Washington office and field office funding and staffing that are to be spent annually in preparing the 1990 assessment and the 1990 program; (2) a detailed breakdown of Forest Service Washington office and field office funding and staffing that are to be spent annually in preparing the land management plans; (3) a detailed analysis of the factors that have resulted in the national forest plans differing from the RPA goals.

In doing the analysis, the Service is directed to address: (1) the role that the RPA targets played, and should play in the future, in the decision-making process in the development of specific national forest management plans; (2) the role that each RPA alternative program had in the selection of the final RPA recommended program and in the selection of preferred forest plan alternatives; and (3) the actions the Service will take if the national forest planning process is not in agreement with the RPA goals for any resource, and how these relate to the legal and regulatory requirements under which the land management plans were developed.

In developing the 1990 RPA Program, the Congress directs the Forest Service to identify and recommend a single, strategic proposal within the range of alternatives developed, to guide the management, research, protection, and other activities of the Forest Service for the succeeding five years. The plan should respond to the short term and long term National and natural resource needs of the Nation as identified by the Resource Assessment. The Congress fully expects the 1990 RPA Program to be transmitted to the Congress on time, in conjunction with the provisions of the Forest and Rangeland Renewable Resources Act, as amended.

The managers want to stress that the allowance is not intended to slow in any way the development of new forest plans or to reduce funding availability for development of revisions and updates to the assessment.

DEPARTMENT OF ENERGY

Clean coal technology

Amendment No. 121: Provides for submission of statements of interest and informational proposals within 60 days after a Federal Register notice soliciting such statements and proposals, as pro-

posed by the House instead of eighty days as proposed by the Senate.

Amendment No. 122: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment insert the following: *March 6, 1987, submit to Congress a summary report of statements of interest and informational proposals received and no later than one hundred and twenty days after the receipt of such statement and proposals*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment provides a summary report on March 6, 1987 as proposed by the Senate, and a detailed report within 120 days of receipt of such statements and proposals as proposed by the House.

The managers agree that the solicitation provided for in this Act shall specify, but not be limited to, the following generic emission reduction technologies and processes:

1. coal cleaning;
2. dry sorbent injection;
3. (a) partial stack gas scrubbing or (b) advanced scrubbing techniques;
4. NO_x controls; and
5. repowering of existing equipment.

It is not the managers' intent to consider projects which duplicate previous demonstrations.

The managers agree that proposals are not limited to those connected with electric power generating technologies.

Fossil energy research and development (including transfer of funds)

Amendment No. 123: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment insert the following: *$411,000 to be derived by transfer from unobligated balances in the "Permitting and enforcement" account of the Federal Inspector for the Alaska Gas Pipeline, $295,866,000.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to appropriate $295,866,000 instead of $314,512,000 as proposed by the House and $242,947,000 as proposed by the House and $242,947,000 as proposed by the Senate and transfer $411,000 of unobligated balances from the Office of the Federal Inspector for the Alaska Gas Pipeline to offset new budget authority requirements. The decrease below the amount proposed by the House consists of increases of $71,000 for advanced separation technology and $1,000,000 for acid rain control technologies in flue gas cleanup; $4,931,000 for the Calderon hot gas process and $768,000 for direct coal fired turbines in gas stream cleanup; $500,000 for university coal research and $1,000,000 for biological processing of coal in advanced research and technology development; $1,000,000 for close-coupled catalytic concepts in direct lique-

faction; $1,600,000 for advanced pressurized fluidized bed (PFB) systems in combustion; $300,000 for technology base research in molten carbonate fuel cells; $500,000 for high Btu defense fuels in advanced process development and $1,300,000 for high temperature in-situ sulfur capture in systems engineering concepts, both in gasification; and decreases of $500,000 for joint EPRI/DOE advanced physical coal cleaning and $250,000 for chemical and electrochemical coal cleaning in coal preparation and analysis; $500,000 for advanced NO control and $100,000 for enhanced mass transfer in flue gas cleanup; $1,400,000 for on-line zinc ferrite regeneration in gas stream cleanup; $342,000 for field monitoring of wastes and energy recovery in waste management technology; $547,000 for materials and components, $194,000 for instrumentation, and $452,000 for direct utilization in advanced research and technology development; $525,000 for advanced research in liquefaction; $2,000,000 for co-processing research and $1,000,000 for pyrolysis research in direct liquefaction; $1,800,000 for the LaPorte, TX, pilot plant in indirect liquefaction; $700,000 for atmosphere fluidized beds (AFB) in combustion; $200,000 for component evaluation at NYU, $325,000 for Grimethorpe, $400,000 for corrosion/erosion testing, and $414,000 for basic research in pressurized fluidized beds (PFB) in combustion; $177,000 in advanced combustion technology; $711,000 for work using highly beneficiated coals in alternate fuel utilization; $1,000,000 for the 7.5 MW system, $1,000,000 for the 11 MW system, $1,000,000 for the 40 KW on-site system, and $500,000 for the 25 KW organic fueled technology in phosphoric acid fuel cells; $300,000 for the competitive stock development procurement in molten carbonate fuel cells; $800,000 for solid oxide modules and $200,000 for advanced research in advanced concepts in fuel cells; $1,600,000 in heat engines; $1,300,000 for support of the Wyoming field test and $400,000 for modeling and data support in underground coal gasification; $3,500,000 in magnetohydrodynamics; $214,000 for advanced research in gasification; $270,000 for hot gas cleanup testing in gasification systems engineering; $119,000 for extraction and process research and $425,000 for environmental mitigation in advanced exploratory research in advanced process technology; $450,000 for heavy oil; $1,000,000 in oil shale; $400,000 for western tight sands; $440,000 for advanced research in unconventional gas recovery; $1,500,000 for equipment not related to construction; $1,750,000 for general plant projects; and $500,000 for use of prior year balances.

The managers agree that:

1. Funding for the Calderon hot gas regenerative system ($4,931,000) is conditioned on (a) access to an existing test site; (b) non-Federal cost-sharing of at least 20 percent; (c) a maximum Federal share of $8 million; and (d) a commitment to commercialize the project with no further Federal funding after completion of this feasibility demonstration.

2. Funds added in advanced combustion technology ($1,000,000) are not limited to slagging combustors.

3. Funding for the water-cooled on-site phosphoric acid program ($2,000,000) is conditioned on an equivalent amount being provided by non-Federal sources.

4. In molten carbonate fuel cells, there is a total of $1,000,000 for contaminant resistant cell research.

5. Work in fuel cell advanced concepts shall include solid polymer electrolyte technology.

6. The $2,000,000 for pollutant recycle and hot particulate removal in systems engineering concepts in gasification is for the existing facility at Schenectady, NY.

7. The $7,000,000 for the Wilsonville liquefaction pilot plant is to continue work with the existing owners and operating contractors.

8. $75,000 in heat engines is for work at UNDERC.

9. $621,000 for tar sands work in enhanced oil recovery is for WRI, not for UNDERC as stated in the House report.

10. The additional $1,000,000 for extraction and processing research in advanced exploratory research is for work in oil and oil shale with national laboratories and universities.

11. The $11,000,000 for oil shale consists of $3,471,000 for WRI, $4,000,000 for direct eastern shales work as detailed in the House report, $1,000,000 for work at INEL, and $2,529,000 for research allocated in a manner similar to the Department's budget submission to OMB.

12. The amounts provided for WRI and UNDERC may be transferred to activities within programs without prior reprogramming notification to Congress.

13. Support Argonne National Laboratory for fossil energy and conservation research in total shall be at levels equivalent to fiscal year 1986.

14. The Department shall transfer $1,613,000 from various direct program activities to program direction in order to provide a uniform method of accounting for costs at Energy Technology Centers (ETC's).

The managers agree that additional funds will be required for continued support for configuration "B" of the 11 megawatt technology, and for extended operation and testing of the IFC phosphoric acid, water cooled, on-site fuel cell verification test article in fiscal year 1988, and intend to provide funds at that time. For the 11 megawatt project, the managers recognize that IFC's private sector cost-sharing investment will exceed $30,000,000 by the end of calendar year 1986 and recommend that the Department of Energy also recognize this as a cost-sharing effort. For the on-site project, the funding provided includes endurance testing of a full area short stack of configuration "B" cells, incorporationg results of the on-going technology program. This funding does not constitute a new start, but rather a continuation of the ongoing program.

The Department projects a $2,724,000 ETC program direction shortfall, even with sums added by Congress. The shortfall is $1,498,000 at METC and $1,226,000 at PETC, and shall be absorbed in those amounts by each ETC. The managers agree that such shortfalls may be absorbed either by reducing allocations to the direct research program, as long as Congressionally added programs are not affected, or by reducing overhead contracting support or other overhead expenses. In either case, government personnel levels shall not be affected.

Amendment No. 124: Provides $26,500,000 for magnetohydrodynamics instead of $30,000,000 as proposed by the House and $23,500,000 as proposed by the Senate.

Naval petroleum and oil shale reserves

Amendment No. 125: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

CLEAN COAL TECHNOLOGY

Notwithstanding guidance provided by the Department in the February 17, 1986 Clean Coal Technology Program Opportunity Notice, funds expended by a private sector participant during the period of Congressional review or approval of the projects selected by the Department for agreements may be eligible for cost-sharing, as appropriate, commencing immediately after a full and comprehensive report on the project in question is submitted to the Congress for a 30-day review pursuant to the Administrative Provisions of the Department of Energy in this Act: Provided, That such cost-sharing may only be reimbursed after the Congress has approved the project or the 30-day review period has elapsed and the agreement executed by the Department: Provided further, That in no case shall funds expended by the private sector during the review period by eligible for cost-sharing reimbursement of any project disapproved by the Congress.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to delete the Senate provisions for the sale of the reserves but include a general provision in title III of the bill limiting the funds to be expended for such studies and requiring a report based on such studies to the Speaker of the House and the President of the Senate by June 30, 1987. That provision is addressed in Amendment No. 171.

Bill language is also included providing that notwithstanding guidance provided by the Department in the February 17, 1986 Clean Coal Technology Program Opportunity Notice, funds expended by a private sector participant during the period of Congressional approval or review of projects for which agreement has been reached may be eligible for cost-sharing, as appropriate, commencing immediately after the required report on the project in question is submitted to the Congress for 30-day review pursuant to the Administrative Provisions of the Department of Energy in this Act. Such cost-sharing may only be reimbursed after the Congress has approved the project or the 30-day review period has elapsed and the agreement is executed by the Department. In no case shall funds expended by the private sector during the review period be eligible for cost-sharing reimbursement of any project disapproved by the Congress.

Energy conservation

Amendment No. 126: Appropriates $280,129,000 for energy conservation instead of $285,825,000 as proposed by the House and $246,413,000 as proposed by the Senate. The decrease below the amount proposed by the House consists of increases of $1,175,000 for dynomometer testing and analysis of battery and powertrain technologies in electric vehicles; $1,000,000 for capital equipment for advanced materials in transportation; and $2,800,000 for grant monitoring in State and local program direction; and decreases of $100,000 for windows and daylighting and $300,000 for retrofit of multi and single family residences in building systems; $500,000 for advanced refrigeration systems and $250,000 for non-oil based combustion systems in technology and consumer products; $500,000 for research utilization in analysis and technology transfer; $100,000 for the Federal Energy Management Program; $750,000 for capital equipment in the buildings program; $200,000 for industrial wastes and $200,000 for improved combustion efficiency in waste energy reduction; $500,000 for sensors, $679,000 for thin-strip casting steel research and $500,000 for the Steel Technology initiative in industrial process efficiency; $500,000 for adiabatic diesels in vehicle propulsion; $490,000 for methanol work in alternative fuels utilization; $250,000 for the EXT-II propulsion system in electric vehicles; $140,000 for the transportation energy data book in transportation systems utilization; $3,000,000 for grant monitoring as a separate line item; $250,000 for materials and $200,000 for combustion in ECUT; $300,000 for innovation grants in the inventors program; and $962,000 for the use of prior year balances.

The managers agree that:

1. $250,000 added for lighting in technology and consumer products may be used for any lighting research.

2. Battery research in electric vehicles shall include research on lithium-metal sulfide batteries.

3. Funding beyond Phase I of the program for fuel cell/battery hybrid buses will not be considered without assured private sector cost-sharing in future phases.

4. The total amount of schools and hospitals administrative expense funds shall be allocated to States based on the provisions of part G of title III of the Energy Policy and Conservation Act (42 U.S.C. 6371 et seq.), shall not exceed the statutory limit of 5 percent of grant funds, shall be subject to the matching provisions of 10 CFR 455.83 (a) and (c), and shall remain available to each State for administering Exxon funds in a subsequent year if not fully utilized in fiscal year 1987.

5. $1,200,000 of weatherization funds shall be provided to Indian tribes. The remaining $109,000,000 is available for grants to States. In combination with other funds, such as funds from the Exxon settlement, no more than 10 percent may be used for administrative expenses, as provided by law.

6. Support for Argonne National Laboratory for fossil energy and conservation research in total shall be at levels equivalent to fiscal year 1986.

The managers agree that transfers of personnel and funds among conservation research and development program direction amounts

for buildings and community systems, industrial conservation, transportation, and multi-sector are not considered reprogramming actions. Changes to these activities should appear, however, in the periodic update of the Department's "Base Table" submitted to the Committees.

Amendment No. 127: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: , *of which $10,000,000 shall be available for a grant for an energy demonstration and research facility at Tufts University when authorized by an Act of Congress: Provided, That award of such grant may be made only upon approval of an appropriate technical review panel convened by the Department of Energy for the specific purpose of reviewing such grant application and subject to conditions, if any, contained in legislation authorizing such project, and of which $112,450,000 for the Weatherization Assistance Program authorized by Part A of the Energy Conservation in Existing Buildings Act of 1976 (42 U.S.C. 6861 et seq.) and the Institutional Conservation Program authorized by Part G of title III of the Energy Policy and Conservation Act (42 U.S.C. 6371 et seq.) shall be available effective March 1, 1987, only in such sums (up to a total of $112,450,000) as are equal to the difference between $200,000,000 and the excess amount for fiscal year 1987 disbursed by the Secretary of Energy for use in energy conservation programs under the provisions of section 3003(d) of subtitle A of title III of the conference agreement on H.R. 5300, the Omnibus Budget Reconciliation Act of 1986, or equivalent legislation enacted into law by March 1, 1987: Provided further, That if no such legislation is enacted into law by March 1, 1987, effective such date, such sums ($112,450,000) shall be immediately available to be derived from amounts held administratively in escrow by the Secretary of Energy pending restitution for actual or alleged petroleum product violations under the Emergency Petroleum Allocation Act of 1973 or the Economic Stabilization Act of 1970 (and the regulations issued thereunder)*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides that funding for an energy demonstration and research facility at Tufts University is contingent on authorization legislation and upon approval of an appropriate technical review panel convened by the Department.

The amendment also provides that appropriations of $112,450,000 for weatherization and schools and hospitals are contingent on a determination by the Secretary of Energy that "excess" funds derived from oil product escrow funds are less than $200,000,000. The conference agreement on the Budget Reconciliation Act of 1986 provides that up to $200,000,000 from product escrow amounts held by the Department of Energy under procedures established by budget reconciliation legislation shall be made available for State energy conservation programs, including weatherization and schools and hospitals, as long as enough funds remain in escrow for restitution to injured parties. Only amounts that equal the difference between $200,000,000 and the "excess" amount would be ap-

propriated, provided the excess is less than $200,000,000. If "excess" funds are more than $200,000,000, the appropriation does not take effect.

The amendment also states that if such legislation does not pass by March 1, 1987, the full amount of $112,450,000 shall become available from amounts held administratively in escrow by the Secretary of Energy.

Amendment No. 128: Provides that $2,000,000 be available for a cost-shared research program instead of $2,500,000 as proposed by the House and nothing as proposed by the Senate, and deletes a limitation proposed by the House that none of the funds be used to gather industrial energy use data.

Language is included in the bill continuing cost-sharing provisions for the steel research and development program established in fiscal year 1986.

The managers agree that the annual Federal commitment of about $7,500,000 for the steel initiative is a reasonable target but, because of the availability of funds previously deferred, only $2,000,000 is required in fiscal year 1987 to meet that commitment.

The managers agree to delete House language repealing industrial reporting requirements of the Energy Policy and Conservation Act because the repeal is included in budget reconciliation legislation.

SPR petroleum account

Amendment No. 129: Appropriates no funds for purchase of petroleum for the Strategic Petroleum Reserve instead of $220,000,000 and a requirement to fill the Reserve at 75,000 barrels a day as proposed by the House. Approximately $550,000,000 available from unobligated balances for oil purchases would allow for filling the Reserve in fiscal year 1987 at up to 90,000 barrels a day at prices of $16.45 a barrel, including transportation.

The managers have agreed to delete bill language on minimum rates of fill for the Reserve because minimum rates are included in budget reconciliation legislation.

Energy Information Administration

Amendment No. 130: Appropriates $60,301,000 for the Energy Information Administration instead of $60,361,000 as proposed by the House and $59,651,000 as proposed by the Senate. The reduction of $60,000 below the House amount is for the Foreign Energy Supply Assessment.

The managers agree that annual reports of the financial performance of major energy producing companies should be based on available publicly reported information, instead of information independently gathered for that purpose, such as on form EIA–28.

Amendment No. 131: Deletes House language mandating a manufacturing energy survey as proposed by the Senate because it is included in budget reconciliation legislation.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Indian health services

Amendment No. 132: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $841,809,000 for Indian health services instead of $836,336,000 as proposed by the House and $833,106,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the Senate consists of decreases of $305,000 for direct operations and $147,000 for two urban health demonstration projects; and increases of $407,000 for mandatory costs in hospitals and health clinics, $1,000,000 to expand the model diabetes program, $2,500,000 for tribal contracting costs, $93,000 for dental health, $55,000 for mental health, $1,300,000 for alcoholism prevention programs, $2,000,000 for community health representatives, $200,000 for urban health programs, and $1,600,000 for health manpower.

In addition to the alcoholism prevention and fetal alcohol syndrome (FAS) programs proposed by the House, the Indian Health Service should use base resources in the alcoholism program to implement the recommendations contained in the recent review of the alcohol and substance abuse programs. In the FAS program, $100,000 is provided for the University of Washington research program.

Of the amount provided for direct operations, $600,000 is to provide salary costs for personnel transferred to the Indian Health Service and $600,000 is for the management fellowship program.

Prior to implementation of any changes in eligibility, the managers direct that a summary of the major issues raised during the comment period and how IHS has responded to them be provided to the Committees on Appropriations for review.

The Indian Health Service should continue to advise the Committees of any shortfalls in tribal contracting and what steps are being taken to meet these costs.

The new policy covering contract care payments should be implemented on an area-by-area basis and IHS should continue working with the tribes to ensure that needed health services are provided. A report on the costs of the new system, as well as cost savings realized by the program should be presented to the Committees on Appropriations once sufficient data is compiled.

The managers agree that the staffing levels provided for the Kanakanak, AK hospital shall be sufficient to ensure a deficiency rate no greater than 11 percent.

The health manpower program includes $240,000 for the MPH program and $323,000 for INMED.

Amendment No. 133: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which establishes a Catastrophic Health Care Fund.

Indian health facilities

Amendment No. 134: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $65,555,000 for Indian health facilities instead of $54,921,000 as proposed by the House and $60,920,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount recommended by the Senate includes increases of $807,000 for planning and design of the Harlem, MT health center; $428,000 for planning and design of the Fort Hall, ID health clinic, and $5,000,000 for sanitation facilities; and decreases of $100,000 to new and replacement hospitals, and $1,500,000 for the ventilation project at the Mount Edgecumbe, AK hospital. The managers direct that the Mount Edgecumbe project is to be accomplished with $1,500,000 of available unobligated balances in this account.

With regard to the Parker, AZ outpatient health clinic, the IHS is directed to perform an engineering analysis, within available funds, to determine the condition of the existing Parker health center, including structural, mechanical and electrical systems, and report to the Committee prior to the fiscal year 1988 hearings.

Within funds appropriated for the Rosebud hospital, the IHS is directed to enclose totally the third floor of the facility.

The managers agree that the IHS should provide a new temporary facility of 2,600 square feet at Sisseton, SD, within available funds.

Amendment No. 135: Deletes language proposed by the House regarding allocation of resources.

Although bill language regarding changes in allocation methodology, as proposed by the House, has not been included, the managers agree that any allocation using the new Area Resource Allocation Methodology (ARAM) shall follow the general outline of the report, dated August 11, 1986, as submitted to the House and Senate Appropriations Committees. In no case should the allocation affect more than three percent of the base resources of the IHS for fiscal year 1987, unless the IHS submits a report to the Committees sixty days in advance on the proposed changes in excess of three percent, including the reason for the proposed changes and the likely effects. The report should also include a statement certifying that the IHS has held consultations regarding the proposed allocation of base resources with all Indian tribes or tribal organizations affected by the proposed allocation. The managers recognize the importance of continued tribal participation in development of the new ARAM methodology, both on policy matters and on technical issues, and direct IHS to continue to provide tribes with the most current information on ARAM, consult with tribes, and consider their views carefully. As major developments in ARAM occur, IHS should continue its practice of holding national and area workshops that will both inform tribes and provide a vehicle for consideration.

Amendment No. 136: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows for exchange of land in Anchorage and Kotzebue, AK, as proposed by the Senate.

The managers agree that the provisions set forth in Public Law 96-126 restricting authority for initial leasing of permanent structures by the Indian Health Service shall not apply whenever such arrangements are completed in accordance with established General Services Administration procedures (for space to be occupied by Federal employees).

DEPARTMENT OF EDUCATION

Office of Elementary and Secondary Education

Indian education

Amendment No. 137: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted, insert the following: *and on the condition that funds appropriated for fiscal year 1987 under this or any other Act to carry out part A of title IV of Public Law 92-318 (Indian Education Act) shall be distributed under the same proof of eligibility requirements as applied in fiscal year 1986, $64,036,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Appropriates $64,036,000 instead of $67,236,000 as proposed by the House and $62,000,000 as proposed by the Senate.

Bill language has been included as proposed by the House in H.J. Res. 738 which prohibits the Department of Education from implementing eligibility requirements for the Part A Indian Education program in fiscal year 1987. This language ensures that school districts have adequate time to review any new eligibility requirements before they are forced to include them in their grant requests to the Department of Education.

The allowance includes a reduction of $198,000 from the House level for administration.

Amendment No. 138: Provides $47,200,000 for Part A instead of $50,021,000 as proposed by the House and $46,832,000 as proposed by the Senate. The change over the amount proposed by the Senate includes an increase of $368,000 for Part A for Indian controlled schools.

Amendment No. 139: Provides $14,568,000 for Parts B and C instead of $14,749,000 as proposed by the House and $12,900,000 as proposed by the Senate. The change over the amount proposed by the Senate includes increases of $261,000 for Part B fellowships; $1,845,000 for Part B projects for Indian children; and $62,000 for Part B educational personnel development. The offsetting decrease is $500,000 from Part B planning, pilot and demonstration.

OTHER RELATED AGENCIES

Navajo and Hopi Indian Relocation Commission

Salaries and Expenses

Amendment No. 140: Appropriates $22,335,000 as proposed by the Senate instead of $22,289,000 as proposed by the House.

The managers agree that district six evictees are eligible to relocate to the new lands.

Amendment No. 141: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following: *has already received one new or replacement home, which is the maximum entitlement for a household certified as eligible, or who has not yet received relocation benefits and who*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree that the Commission has not implemented relocation as efficiently as Congress expected. Therefore, relocation has taken longer than envisioned. While the managers remain committed to full implementation of the relocation program and to the return of the Hopi Partitioned Lands to the Hopi tribe, the managers feel that the Congress must deal with the entire problem, rather than attacking it in a piecemeal fashion.

Bill language has been included which states that there will be no eviction of those on the Hopi Partitioned Land who have not been provided a new or replacement home. In addition, language has been included which states that only one new or replacement home will be provided to relocatees. It is not the intent of the managers to allow migration back to the Hopi Partitioned Land. Funds have been provided to the Commission and the Bureau of Indian Affairs to move forward with the development of the new lands so that relocation may proceed. Therefore, if the managers learn of a problem of resettlement back to the Hopi Partitioned Land by those who have already relocated, this problem will be addressed in the supplemental appropriations bill.

Amendment No. 142: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *such sums as may be necessary*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have not included bill language limiting the amount which may be spent for contracted attorney's fees. Nonetheless, it is the understanding of the managers that these expenditures will be reduced due to the approval of an on-staff legal position and by the Commission's compliance with the recommendations contained in the Inspector General's report.

Amendment No. 143: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede

and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided further, That the Commission shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10: Provided further, That for certified eligible households for whom a benefit level has not been determined, such level shall hereafter be determined consistent with the interpretation of 25 U.S.C. 640d–14 issued by the Solicitor of the Department of the Interior on August 25, 1986*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have included language stating that the Commission shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or on the new lands or selected a replacement residence off the Navajo reservation.

Language has also been included which states that for those certified eligible households for whom a benefit level has not been determined such level shall hereafter be determined consistent with the interpretation of 25 U.S.C. 640d–14 issued by the Solicitor of the Department of the Interior on August 25, 1986.

Bill language earmarking funds for post-move counseling and the Office of Policy and Direction has not been included. Sufficient funds for counseling have been provided to the Bureau of Indian Affairs for this purpose.

Amendment No. 144: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

The Commission shall review the eligibility of all households certified as eligible who have not received relocation benefits and shall decertify any household which was certified contrary to law or regulation: Provided, That those who are decertified are to be provided the opportunity to appeal that decision in accordance with 25 CFR 700.305.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Language is included which requires the Commission to review the eligibility of all households certified as eligible and decertify those who have been certified contrary to law or regulation. Those decertified are to be given the opportunity to appeal this decertification before an administrative law judge.

SMITHSONIAN INSTITUTION

Salaries and Expenses

Amendment No. 145: Appropriates $183,920,000 for salaries and expenses instead of $189,318,000 as proposed by the House and $180,550,000 as proposed by the Senate.

The net decrease below the amount proposed by the House consists of increases of $200,000 for equipment for the hospital at the National Zoological Park, $75,000 for the Sackler Gallery, $6,000 for the Museum of African Art, $10,000 for Public Service, $15,000 for the Office of Exhibits Central, $300,000 for the Conservation Analytical Laboratory, $100,000 for International activities, and $500,000 for acquisition and conservation of the Duke Ellington Collection; and decreases of $150,000 for computer equipment for the Smithsonian Astrophysical Observatory, $60,000 for research at the Museum of Natural History, $137,000 for research at the Smithsonian Tropical Research Institute, $1,012,000 related to the closure of the Environmental Research Center's Rockville facility, $25,000 for research at the Cooper-Hewitt Museum, $60,000 for the inventory of sculpture, $772,000 for the National Museum Act, $300,000 for collection management and inventory, $431,000 for moving costs of the Museum Support Center (MSC), $1,500,000 for MSC equipment, $115,000 for postage, $216,000 for telephone services, $116,000 for rent, $710,000 for inflation, and $1,000,000 for Quadrangle support.

The decrease to the Environmental Research Center includes a transfer of $862,000 to the renovation account for the Edgewater, MD facility.

In agreeing to terminate funding for the National Museum Act, the managers have provided an increase of $300,000 to the Conservation Analytical Laboratory to provide increased training in the field of conservation.

The managers agree that future support for moving costs related to the Museum Support Center should come from base resources of the Smithsonian.

The remainder of the $500,000 not required for acquisition of the Duke Ellington collection shall be applied to conservation of the collection.

A reduction of $1,000,000 and 25 positions has been applied to the request for activities associated with the Quadrangle. The Smithsonian may allocate the reduction to lower priority activities.

The managers request reports from the Smithsonian examining ways to increase curatorial and exhibition functions of the Museum of Natural History and on all public programs and outreach activities. These reports should be available prior to hearings on the fiscal year 1988 budget.

The managers agree that within existing resources the Smithsonian should support activities associated with the International Space Year.

Construction and improvements, National Zoological Park

Amendment No. 146: Appropriates $2,500,000 as proposed by the Senate.

Restoration and renovation of buildings

Amendment No. 147: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $12,975,000 instead of $12,113,000 as proposed by the House and $12,028,000 as proposed by the Senate. The man-

agers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase of $862,000 over the amount proposed by the House is for construction at Edgewater, MD. The managers direct the Smithsonian to redirect $1,325,000 from other restoration and renovation projects of lower priority, and not related to health and safety, in order to accomplish the PCB removal project over a two year period. Together with the $475,000 included in the budget request, this will provide a total of $1,800,000 for this project in fiscal year 1987.

The managers agree that major renovation projects, such as that proposed for the Arts and Industries building, estimated to cost $24,000,000, and for the Museum of Natural History, estimated at $55,000,000, should be presented to the authorizing committees for review prior to requests for appropriations.

The funds for the dormitory project at Naos in Panama have been deferred, pending review of the report requested by the House.

Construction

Amendment No. 148: Restores language proposed by the House and deletes language inserted by the Senate describing the Tropical Research Institute.

Amendment No. 149: Appropriates $6,095,000, as proposed by the House instead of $6,130,000 as proposed by the Senate.

The managers agree that the Smithsonian is to maintain the fifty-fifty match of Federal/non-Federal funding in completing construction of the Quadrangle.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

Salaries and expenses

Amendment No. 150: Appropriates $3,322,000 for salaries and expenses instead of $3,383,000 as proposed by the House and $3,138,000 as proposed by the Senate. The increase of $184,000 over the amount proposed by the Senate is a result of an increase of $200,000 for conference planning and offsetting decreases of $8,000 for scholar support and $8,000 for general administration.

Endowment challenge fund

Amendment No. 151: Appropriates no funds for the Endowment Challenge Fund as proposed by the House instead of $300,000 as proposed by the Senate.

The purpose of the endowment was to raise general funds for the Center rather than specific funds for planned conferences and events. Therefore, funds raised for individual regional programs do not constitute a match for the Endowment Challenge Fund. Funds raised after October 1, 1985 can be considered as matching funds for the Federal appropriations provided for this purpose in fiscal year 1986.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

Grants and administration

Amendment No. 152. Appropriates $136,661,000 as proposed by the House instead of $132,950,000 as proposed by the Senate. This includes $15,900,000 for administrative programs as proposed by the House instead of $16,000,000 as proposed by the Senate.

The managers agree on the following allocation of funds:

Program grants:	
Artists-in-Schools	$5,300,000
Dance	8,847,000
Design Arts	4,276,000
Expansion Arts	6,655,000
Folk Arts	2,982,000
Inter Arts	3,885,000
Literature	5,100,000
Media Arts	12,000,000
Museums	11,400,000
Music	12,236,000
Opera/Musical Theatre	4,200,000
Locals Test	2,180,000
Theatre	10,800,000
Visual Arts	6,200,000
Advancement	200,000
Subtotal, program grants	96,261,000
State Programs	24,500,000
Subtotal, grants	120,761,000
Administration area:	
Policy Planning and Research	1,000,000
Administration	14,900,000
Subtotal, administrative area	15,900,000
Total, grants and administration	136,661,000

The $12,000,000 for the media program continues the 1986 initiative to increase resources for television and radio programming in the arts.

Amendment No. 153: Deletes House bill language restricting reprogrammings.

Matching grants

Amendment No. 154: Appropriates $28,420,000 instead of $29,000,000 as proposed by the House and $27,000,000 as proposed by the Senate. This includes $20,000,000 for challenge grants and $8,420,000 for Treasury funds.

Amendment No. 155: Earmarks $20,000,000 for challenge grants instead of $20,580,000 as proposed by the House and $18,000,000 as proposed by the Senate.

National Endowment for the Humanities

Grants and administration

Amendment No. 156: Appropriates $109,990,000 instead of $110,141,000 as proposed by the House and $107,700,000 as proposed by the Senate. This includes $95,790,000 for program and

state grants as proposed by the House instead of $93,500,000 as proposed by the Senate; and $14,200,000 for administrative areas as proposed by the Senate. The managers agree on the following allocation of funds:

Program grants:	
Media Grants	$8,900,000
Museums and Historical Organizations	8,780,000
Humanities programs for adults	2,000,000
Humanities projects in libraries	2,900,000
Education programs	16,350,000
Fellowships and seminars	15,460,000
Research grants	16,400,000
Subtotal, program grants	70,790,000
State programs	21,000,000
Office of Preservation	4,000,000
Subtotal, grants	95,790,000
Administrative area: Administration	14,200,000
Total, grants and administration	109,990,000

Amendment No. 157: Deletes House bill language restricting reprogramming.

Matching grants

Amendment No. 158: Appropriates $28,500,000 as proposed by the House instead of $29,000,000 as proposed by the Senate. This includes $12,000,000 for Treasury funds and $16,500,000 for challenge grants.

National Capital arts and cultural affairs

Amendment No. 159: Appropriates $4,000,000 as proposed by the Senate instead of $3,500,000 as proposed by the House.

Amendment No. 160: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided, That Public Law 99-190 (99 Stat. 1261) is amended under this heading as follows:*

(1) in the first paragraph, strike the words "which are engaged primarily in" and insert in lieu thereof "whose primary purpose is",

(2) in the second paragraph, strike the words "an annual operating budget" and insert in lieu thereof "annual income, exclusive of Federal funds,",

(3) in the fourth paragraph, strike the words "operating budget" and insert in lieu thereof "annual income, exclusive of Federal funds,", and

(4) in the fourth paragraph, strike the words "operating budgets" and insert in lieu thereof "annual income, exclusive of Federal funds,"

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have deleted language proposed by the House limiting grants to certain organizations. New language has been in-

cluded to clarify the original authorization by setting total non-Federal income of at least $1,000,000 annually for a period of three years as a condition of eligibility.

Amendment No. 161: Deletes language proposed by the House limiting implementation of portions of the authorization.

INSTITUTE OF MUSEUM SERVICES

Amendment No. 162: Appropriates $21,250,000 for grants and administrations instead of $21,394,000 as proposed by the House and $18,888,000 as proposed by the Senate. The managers agree to the following distribution of the funds:

Operating support grants	$16,962,000
Conservation grants	3,400,000
Museum Services Board	58,000
Program administration	830,000
Total	21,250,000

Amendment No. 163: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which restricts the Museum Services Board to no more than three meetings during fiscal year 1987.

COMMISSION OF FINE ARTS

Salaries and expenses

Amendment No. 164: Appropriates $450,000 for salaries and expenses as proposed by the Senate instead of $420,000 as proposed by the House.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Salaries and expenses

Amendment No. 165: Appropriates $2,397,000 for salaries and expenses instead of $2,342,000 as proposed by the House and $2,437,000 as proposed by the Senate.

Public development

Amendment No. 166: Appropriates $3,924,000 for public development as proposed by the Senate instead of $3,869,000 as proposed by the House.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

Holocaust Memorial Council

Amendment No. 167: Appropriates $2,040,000 as proposed by the House instead of $2,057,000 as proposed by the Senate.

The difference from the amount proposed by the Senate consists of reductions of $35,000 for museum development and $1,000 for travel which are offset by increases of $70,000 for the archive project with the National Archives. The managers agree to restore $65,000 of the funds reduced by the House for staff positions which is a reduction of $51,000 from the Senate level. These funds are to be used by the Council to hire a chief financial officer who is to

implement the recommendations outlined in the August 25, 1986 Touche Ross report.

Amendment No. 168: Deletes House provision, as proposed by the Senate, which would have made reimbursement for travel subject to approval by the Chairman of the Council.

Amendment No. 169: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided further, That the Chairman of the Council may waive any Council bylaw when the Chairman determines such waiver will be in the best interest of the Council: Provided further, That immediately after taking such action the Chairman shall send written notice to every voting member of the Council and such waiver shall become final if 30 days after the Chairman has sent such notice, a majority of Council members do not disagree in writing with the action taken*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment gives the Chairman of the Council authority to waive any bylaw when the Chairman determines it to be in the best interest of the Council. This waiver may take effect, if after 30 days written notice, a majority of council members do not object to the action of the Chairman.

TITLE III—GENERAL PROVISIONS

Amendment No. 170: Deletes House language, as proposed by the Senate, which required regulations promulgated by the Secretary of the Interior to be consistent with existing regulations promulgated by the Secretary of Agriculture.

Amendment No. 171: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 314. Not to exceed $500,000 appropriated or made available under this or any other Act may be used by the executive branch for soliciting proposals, preparing or reviewing studies or drafting proposals designed to aid in or achieve the transfer out of Federal ownership, management or control in whole or in part the facilities and functions of Naval Petroleum Reserve Numbered 1 (Elk Hills), located in Kern County, California, established by Executive order of the President, dated September 2, 1912, and Naval Petroleum Reserve Numbered 3 (Teapot Dome), located in Wyoming, established by Executive order of the President, dated April 30, 1915: Provided, That a report on any such studies shall be submitted to the Speaker of the House of Representatives and the President of the Senate no later than June 30, 1987.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides up to $500,000 for studying the sale of the Naval Petroleum Reserves and requires a report to Congress on such studies by June 30, 1987.

Amendment No. 172: Deletes House language, as proposed by the Senate, which would have provided that Section 1013 of the Budget Impoundment Control Act, dealing with deferrals, shall not apply to funds in this appropriation.

Amendment No. 173: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment insert: *SEC. 315.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment includes language, as proposed by the Senate, stating that funds shall be available to the Trust Territory of the Pacific Islands on the same basis as in fiscal year 1986 until alternative funding is available under the terms of the Compact of Free Association.

Amendment No. 174: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *SEC. 316.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment includes language as proposed by the Senate stating that any lease within the Gallatin and Flathead National Forests affected by Case CV-82-42-BU in the U.S. District Court for Montana is excepted from the limits on aggregate acreage set out in previous law.

Amendment No. 175: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *SEC. 317.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment includes language as proposed by the Senate preventing enforcement of regulations of the U.S. Fish and Wildlife Service requiring the use of steel shot in any State unless State regulatory authorities approve implementation.

Amendment No. 176: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *SEC. 318.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment includes language providing a one-year extension for negotiating biomass energy loan guarantees with projects previously submitted to the Department of Energy as proposed by the Senate.

Amendment No. 177: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *SEC. 319.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment includes language as proposed by the Senate reducing the amount of townships the Cook Inlet Region, Incorporated in Alaska, may select outside its region from 10 to 7, which entitles the Corporation to receive bidding credits on surplus Federal property.

Amendment No. 178: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 320. To assure that National Forest and Bureau of Land Management timber included in sales defaulted by the purchaser, or returned under the Federal Timber Contract Payment Modification Act (Public Law 98–478), is available for resale in a timely manner, such sales shall be subject only to one level of administrative appeal. This limitation shall not abridge the right of judicial review. Actions on such administrative appeals should be completed within 90 days of receipt of the notice of appeal. Sales that are reoffered shall be modified, including minor additions or deletions, as appropriate, to reduce adverse environmental impacts, pursuant to current land management plans and guidelines, and such modifications in themselves should not be construed to require the preparation of new or supplemental environmental assessments. This section shall not apply to any decision on the determination of damages due to the Government for defaulted or canceled contracts.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have agreed to include modified Senate language which limits administrative appeals to one level of appeal on all returned or defaulted timber sales within the Forest Service and Bureau of Land Management. The modified language retains opportunities for judicial review. The agencies should complete action on such appeals within 90 days whenever possible, but may, at their discretion, extend the deadline for completion of such action. The managers make no attempt to prejudge the nature, cause, basis or standing of an administrative appeal brought before the agencies on returned or defaulted timber sales; however, because of the heavy reliance on such sales in this year's timber sales program, and because of the importance of a timely and stable sales program, administrative appeals shall be limited to one level of appeal within the respective agencies.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1987 recommended by the Committee of Conference, with comparisons to the fiscal year 1986 amount, the 1987 budget estimates, and the House and Senate bills for 1987 follow:

New budget (obligational) authority, fiscal year 1986	$8,210,987,000
Budget estimates of new (obligational) authority, fiscal year 1987	6,617,320,000
House bill, fiscal year 1987	8,151,795,000
Senate bill, fiscal year 1987	7,855,704,000
Conference agreement, fiscal year 1987	8,333,076,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1986	+122,089,000
Budget estimates of new (obligational) authority, fiscal year 1987	+1,715,756,000
House bill, fiscal year 1987	+181,281,000
Senate bill, fiscal year 1987	+477,372,000

SIDNEY R. YATES,
JOHN P. MURTHA,
NORMAN D. DICKS,
EDWARD P. BOLAND,
LES AUCOIN,
TOM BEVILL,
JAMIE L. WHITTEN,
RALPH REGULA,
JOSEPH M. MCDADE,
SILVIO O. CONTE,
Managers on the Part of the House.

JAMES A. MCCLURE,
TED STEVENS,
PAUL LAXALT,
JAKE GARN,
THAD COCHRAN,
MARK ANDREWS,
WARREN RUDMAN,
LOWELL P. WEICKER, Jr.,
ROBERT C. BYRD,
J. BENNETT JOHNSTON,
DENNIS DECONCINI,
QUENTIN N. BURDICK,
DALE BUMPERS,
ERNEST F. HOLLINGS,
Managers on the Part of the Senate.

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